

PROCEEDINGS

OF THE

COMMON COUNCIL

OF THE

CITY OF ROCHESTER

For 1879-80.



ROCHESTER, N. Y.:

UNION AND ADVERTISER COMPANY'S PRINT, WEST MAIN STREET.

1879.

3

IN COMMON COUNCIL,

For 1879-80.

In Common Council--April 7, 1879.

ORGANIZATION OF THE NEW BOARD.

The Clerk called to order.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Chace moved that Ald. Warren act as temporary President.

Ald. Westbury moved as an amendment that Ald. Hebing act as temporary President.

Lost by the following vote:

Ayes—Ald. Westbury, Otis, Wickens—3.

Nays—Ald. Tracy, FitzSimons, Crouch, Chambers, Chace, Mandeville, Vay, Edelman, Weaver, Knobles, Hart—11.

Ald. Warren and Hebing were excused from voting at their request.

The motion of Ald. Chace was then adopted.

Ald. Westbury moved that the rules of the old Board be adopted as the rules of this Board. Adopted.

Ald. Crouch moved to ballot for permanent President and nominated Ald. E. B. Chace. Adopted.

Ald. Otis nominated Ald. Westbury.

FIRST BALLOT.

Emory B. Chace received.....12 votes
David H. Westbury received..... 4 votes

Ald. Emory B. Chace was declared elected President of the Common Council.

Ald. Chace briefly thanked the Board for the honor conferred in electing him President.

Ald. Crouch moved that the Board proceed to ballot for Messenger. Adopted. He nominated Frank J. Irwin.

FIRST BALLOT.

Frank J. Irwin received..... 13 votes
J. W. Kimball .. 3 ..

Frank J. Irwin was declared duly elected Messenger.

Ald. Hart moved that the Board proceed to ballot for Sealer of Weights and Measures. Adopted. He nominated William Fuller.

Ald. Westbury nominated Christian Spies.

FIRST BALLOT.

William Fuller received.....11 votes.
Christian Spies .. 5 ..

William Fuller was declared duly elected Sealer of Weights and Measures.

Ald. Hart moved to proceed to ballot for three City Physicians for the East Side of the river. Adopted.

FIRST BALLOT.

Dr. Sheehan received.....12 votes
Dr. Nusslin .. 11 ..

Dr. Benford .. 8 ..
Dr. Hartman .. 3 ..
Dr. Kempe .. 5 ..
Dr. Rockwell .. 3 ..

Drs. Sheehan and Nusslin were declared elected City Physicians.

Ald. Hart moved to ballot for the third City Physician for the East Side of the river. Adopted.

SECOND BALLOT.

Dr. Rockwell received..... 9 votes.
.. Benford .. 4 ..
.. Hartman .. 2 ..
.. Preston .. 1 vote.

Dr. Rockwell was declared elected.

Ald. Vay moved to ballot for three City Physicians for the west side of the river. Adopted.

FIRST BALLOT.

Dr. McKelvey received.....10 votes.
.. Schmitt .. 14 ..

.. O'Hare .. 10 ..
.. Burke .. 8 ..
.. Little .. 3 ..
.. Harrington .. 1 vote.
.. Southworth .. 1 ..

Drs. McKelvey, Schmitt and O'Hare were declared elected City Physicians.

Ald. Crouch moved that the Board adjourn.
Adopted. EDWARD ANGEVINE,
City Clerk.

In Common Council. April 8, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

ADDRESS OF THE PRESIDENT.

The President read the following address :

Gentlemen of the Common Council :

GENTLEMEN—It is with much diffidence that I assume the position of President, and I fear that without your cordial support I shall fail to discharge the duties your kindly action has placed upon me. It will be my aim to so preside and rule upon questions that may arise that all may be treated equally and alike—coming under the general parliamentary rules governing legislative bodies. If in enforcing the rules adopted for our guidance I shall appear to be exacting and arbitrary, I beg that you will ascribe it to a desire for the general welfare of the Council, and not from personal feelings. So far as it is possible for man to do, I shall sink my individuality and labor with you for the good of the whole number and the interests of the people we represent. There must and will be differences of opinion upon matters that will come before us, but let us in the outset accord to each other honesty of purpose and no unworthy motives. We should have a zealous care for the public welfare and avoid extreme measures in every respect. Let us show that we strive to justify the confidence that has been exhibited by our constituents in placing us in the position we occupy.

His Honor the Mayor then read the following address :

MAYOR'S OFFICE,
ROCHESTER, N. Y., April 8, 1879. }

To the honorable the members of the common council of the city of Rochester :

In presenting to you for the fourth time an annual message relating to the affairs of the city there are but a few suggestions I have to offer beyond those contained in my former communications. The most important question to the public mind is that which pertains to taxation; and the large amount required annually for the maintenance of the city government, makes it necessary for those upon whom rests the responsibility of raising and voting money to guard carefully every interest, and to be governed by the loftiest considerations for the public good. It first of all devolves upon us to use our best endeavors to manage the municipal affairs with wise economy, neither neglecting judicious public interests nor being actuated by miserly dispositions. Another great and important matter with which we have to deal is that of

EDUCATION.

By it Providence has wisely provided for the progress of the human race, and as each generation profits by the learning and experience of those that have preceded it, so in a similar manner we transmit our knowledge to those that follow us. Generally speaking, it is the training and learning which one receives in childhood that mark the character in after-life. Hence your responsibility will be readily understood. In early times there was no general system of education, but with the diffusion of Christianity its importance came to be seen in a new light, and to our glory it may be said that there is no country where more intelligent attention is given to the education of the people, or where the public schools are more liberally provided for, and all this we do in our capacity as free citizens. To those then who in past years have had committed to their charge so important a trust much praise is due for the success achieved, and today many of our most valued citizens look back with satisfaction to the advantages they have in former years derived from the system. As a pupil of the public schools in my boyhood, I cannot now but take a deep interest in their welfare and work. My desire is, and I believe yours will be, to give them a hearty and a generous support. As a matter of course, in their management, faults will be committed, and errors at times may creep in, and it is but just to the taxpayers, that these when pointed out should be remedied; for by so doing, much good may be realised, and the system itself be strengthened. But let me charge you that no false notions of economy be allowed to govern your action. The report of the superintendent of schools for the school year ending June 28th, 1878, shows the total number of pupils registered as 12,335, an increase of 497 over the previous year, with an average daily attendance of 8,256, and never in the history of our city has there been so great an increase as that exhibited in the past two years. The expenses for the current year, as audited by the Board of Education, are as follows:

Teachers' wages.....	\$115,587 57
Superintendent's salary.....	1,800 00
Assistant librarian's salary.....	600 00
Messenger's salary.....	300 00
School policeman's salary.....	799 82
Janitors' salary.....	7,424 00
Two months' salary to carpenter.....	199 98
Heating fixtures number 10 school.....	1,700 00
Expenditures of supply committee.....	5,158 47
Expenditures of fuel committee.....	6,886 46
Disbursements of building committee for buildings and repairs.....	19,774 94
Library—"library fund".....	1,086 86
Free academy committee.....	3,391 72
Free academy committee (contingent fund).....	1,214 39
Printing committee.....	1,439 01
Total.....	\$166,863 32

WATER WORKS AND FIRE DEPARTMENT.

Our water works have given the utmost satisfaction during the past season by the cer-

tainty of their operation on all occasions, the quality of water furnished for domestic purposes, and their effectiveness in the suppression of fires.

On the petitions of citizens and by the authority of the Common-Council, the water mains were considerably extended during the past year, so that water has been brought within the bounds of many in the suburbs, and the Fire Department enabled to reach and extinguish most fires, even in the outskirts of the city, from the hydrants, without the intervention of steam fire engines.

The length of water mains laid in the city at this date is 95 1-2 miles. The number of fire hydrants set at this date is 822.

About 1,300 new services were put in during the year 1878, besides a great number of extensions of old services to increased uses. The rapid deterioration of the quality of the water furnished by the wells in use in the city and the knowledge of the unsafe and disease-breeding character of this supply as, demonstrated by careful chemical analysis and by the unanimous testimony of the physicians, has rendered the use of the Hemlock lake water from the city mains, a necessity for almost every household, and a general revival of business will undoubtedly result in the almost universal use of this water. Under the present rules, those who desire to use it are compelled to bear the whole expense of introducing the same from the water main to the point where it is to be used. The preliminary expense is large and has hitherto deterred many of moderate means from becoming consumers of water. More prosperous times will, I trust, remove this difficulty and immediately add large numbers to the list of consumers.

The distant source from which our domestic supply is received together with the great cost of materials and labor when the works were built made the investment very large, but even taking into consideration their great cost and the necessary taxation involved, it cannot be doubted that the city is now receiving more than equivalent benefits. As a result of the use of the pure and healthful waters and such an abundant supply for flushing even our very imperfect sewers, Rochester already ranks among the most healthful of American cities.

At the introduction of the water works, the people of this city were paying yearly in fire insurance premiums over \$400,000, and at this date careful estimates show that there is paid less than \$200,000 yearly.

Since they have been fully in operation there has been a saving in the cost for operating and maintaining the fire department of the city of over \$33,000 per annum, a reduction of forty-eight and one-half per cent.

The average yearly loss in this city from fires from 1863 to 1873 inclusive was \$119,245. The loss during the year 1878 was only \$63,682, and the average yearly loss

for the past five years has been \$85,073, and for the first two years of this period the water works protection extended over but a limited portion of the city.

One steamer was kept in commission last year to work at fires in the suburbs of the city should it be required. During that time there were ninety-six alarms and the steamer worked at four fires, *aggregating only four hours labor during the whole twelve months.* It is an open question whether even this steamer should not be put out of commission and its cost saved to the city or the expense employed in increasing the effectiveness of the hose or hook and ladder service.

There are seven steam fire engines belonging to the city, six of which, if a purchaser could be found at fair prices, might be sold, as the water works mains, have been so far extended as to furnish reasonable fire defense even in the outskirts, or at least to such an extent as when supplemented by one steamer and the wheeled Babcock extinguisher, will make the protection effective everywhere.

The city water works furnishes water for all city uses, such as extinguishment of fires, flushing sewers, sprinkling streets, supplying engine houses, school houses and all other city buildings, without charge, and this use at usual rates, would amount to about \$30,000 yearly. For this the water works fund receives no credit, and hence cannot be included in its yearly balance sheet, and yet to show its earnings, should as clearly appear as though the water had been sold to individual consumers. In many cities the other departments are required by ordinance to pay into the water works department, the cost of water used, so that each should show actual receipts and expenditures, without one contributing directly or indirectly to the support of the other.

A suit of considerable importance has been commenced by owners and lessees of water power on Honeoye creek against the city of Rochester. They set forth in their complaint that the diversion of water from Hemlock lake has, or is liable to injure the water power at their several mills, and pray the court to grant a perpetual injunction, restraining the city from further operations of this character. This issue will probably be tried some time during the coming summer and the officers in immediate charge of the water works, are very confident of a verdict favorable to the city.

The suit for recovery of taxes assessed on the Rush reservoir, in the town of Rush, has been decided in favor of the city by the General Term. The case is to be carried to the Court of Appeals.

In connection with this subject, I present herewith the following valuation of

FIRE DEPARTMENT PROPERTY.

Steam fire engines.....	\$85,000
Hose-wagons or carts.....	3,000
Hook and ladder trucks.....	4,300
Horses.....	2,500

Hose.....	10,000
Extinguisher	2,500
Wagons, sleighs, harness, etc.....	1,000
Furniture in engine houses	2,000
Total	\$60,300

BOARD OF HEALTH.

From the books of this department the following interesting facts are gleaned:

Marriages reported for the year ending April 1, 1879	472
Births.....	1,819
Deaths.....	1,344

The latter item is made up as follows:

Accidents.....	37
Consumption	214
Diphtheria	46
Malarial fever.....	6
Scarlet fever.....	17
Typhoid fever.....	12
Still-born and premature births.....	113
Old age.....	64
All other causes.....	835
Total	1,344

There can be no more accurate standard of the healthfulness of a community, than the death rate as the result of zymotic diseases. During the year, our city has enjoyed comparative immunity from the various epidemics which have afflicted some of our sister cities and towns. If we estimate our population at 90,000, it will give us a death rate of 14.82 and if, in our calculations we exclude accidents, old age, and premature and still births, it will be reduced to 12.55 per thousand of population annually. Special attention has been given by the health board to the subject of ventilation, and its work in this direction has proven highly satisfactory. As the result of the same, it has been easily ascertainable that most of the methods in vogue for the ventilating of public schools are far from being perfect. Upon the recommendation of this body, the Board of Education adopted the systematic course now being pursued with such good effects at district school number 10, and its superiority over all other means has been clearly demonstrated; and I trust will be generally adopted. The labors of Dr. Buckley, the Health Officer, varied as they are, have been skillfully and faithfully performed. His report recently issued and so deservedly complimented by the public press, is a model document, being filled with interesting data and valuable, as well as remarkable statistics.

SUPPORT AND RELIEF OF THE POOR.

The expense of maintaining this department and the rules which have long been followed in its management have been the subject of much thought and controversy. I hope to be able early in the year to recommend some new and suitable ideas tending to reform and economy in this branch of our municipal government, and will content myself at this time by presenting a few facts and figures in connection with the disbursements for its maintenance during the past year. The sum of \$24,373.04 represents the amount of

money paid for meat, bread, soap, candles, flour, meal and general groceries, and for orders on shoe stores. There have been expended for salaries \$3,938.10; for services of physicians, \$2,000.16; for wood, \$111.75; for coal, \$4,173.37; amount paid for burial orders, \$1,432.75, while there has been disbursed to the benevolent institutions of the city, for the board and care of inmates and the treatment of the sick, the enormous sum of \$38,822.56. For the twelve months ending April 1st, there have been sent to the county house and maintained at the city expense 250 persons, mostly adults. During the year 142 persons have been interred upon orders issued by the overseer, viz.: 56 males, 50 females and 36 sex unknown, the latter circumstance being accounted for by reason of orders given in the name of the parents for the burial of children.

LOCAL IMPROVEMENTS.

The amount of work of this character accomplished last year can be fully stated in a brief manner:

Length of stone sewers, feet.....	3,631
Length of vetrified pipe sewers, feet.....	3,510
Length of cement pipe sewers, feet.....	3,043

Total feet of sewers..... 10,184

The length of McAdam roadways constructed during the same period of time is 6,762 1-2 feet, and that of Medina stone 543 feet—all of the above having been performed under the careful and intelligent supervision of City-surveyor Peacock and his able corps of assistants, who, in my judgment, have a keen and just perception of the duties required of them.

POLICE.

The efficiency and discipline of this department have never been more perfect than at the present time, very few complaints having been made to the commissioners of late, against the men composing the force, and those being of a trivial character. There is no class of persons in a community whose conduct and appearance are more closely scrutinized, and of whom better things are expected; hence the general public are charged with the responsibility of reporting to the commissioners any breach of decorum or neglect of duty on the part of these guardians of the public peace, which may be brought to their notice. I take this opportunity of thanking the members of the department in behalf of the citizens of Rochester, for the good order maintained and valuable services rendered. For a more minute statement of what has been accomplished, and for many interesting particulars connected with this branch of municipal government I respectfully call your attention to the annual report of the commissioners of police submitted to your honorable body a short time ago, and the recently issued yearly statement of the police justice, viz.:

Number of persons arrested.....	3,621
Number of persons convicted of various offenses.....	1,759
Number of persons committed to the penitentiary.....	638
Number of persons committed to jail.....	675
Number of persons committed to the Western house of refuge, males, 56; females 14.....	70
Number of persons examined and held to answer at oyer and terminer.....	177
Number of persons admitted to bail and bonds filed.....	73
Number of warrants issued.....	1,381
Number of records of conviction filed.....	1,183
Number of lodgers in the station house.....	1,466
Amount collected for fines, penalties and costs.....	\$9,282 90
Amount paid by county for service of police department.....	561 40
Amount of fines and penalties paid at the penitentiary for convictions from this court.....	1,169 50
Amount received from sale of unclaimed stolen property.....	100 95
Total amount collected.....	\$11,114 75

THE LAMP DEPARTMENT

And our street lighting system have long been to me an unsatisfactory problem. This may continue to be so to the public unless a yearly change of management and responsibility can in some manner be dispensed with. The question uppermost now in the public mind is how to obtain more and needed light attended by a reduction of expense. There is no city in the country more liberally provided with the necessary paraphernalia for lighting streets than ours, as many lamp posts have in past years been unnecessarily distributed. I have frequently pressed the Common Council during my time as mayor to enforce the provisions of a resolution, long since adopted, requiring official action in each particular instance, when the purchase of materials for this department has been contemplated. And if this were done even now, a large saving during the year can be effected. The further purchase of lamp posts for months and perhaps years to come should be discountenanced when we take into consideration the fact that they are now scattered indiscriminately all over the city. The fact of the business is the system has long been a faulty one, and needs reformation to an unusual degree. To adopt a plan having for its object the weeding out of all posts foolishly and for accommodation, in many instances, set for the convenience of parties wanting them without regard for the public good, and in every case at the public expense, would be a step in the right direction, and to follow this up by resetting the remaining lamps at a given and reasonable distance apart, would present to the eye of the citizen and stranger a pleasing remedy for one of the existing evils. This being done we could afford to furnish the people with light all night and every night, thus effecting a much needed reform and a saving of some thousands of dollars annually to the city. I trust this matter will receive prompt attention at your hands.

ASSESSED VALUATION OF REAL AND PERSONAL ESTATE FOR THE YEAR 1878.

Wards.	Real estate.	Personal estate.
First.....	\$6,908,100	\$1,094,000
Second.....	3,653,125	90,500
Third.....	3,491,850	187,000
Fourth.....	2,554,775	30,000
Fifth.....	4,373,025	134,000
Sixth.....	1,504,325	6,000
Seventh.....	2,597,600	12,000
Eighth.....	2,757,875	24,000
Ninth.....	2,920,750	15,000
Tenth.....	2,126,700	38,000
Eleventh.....	1,520,100	.....
Twelfth.....	1,778,300	27,000
Thirteenth.....	1,574,600	1,000
Fourteenth.....	1,795,600	.....
Fifteenth.....	789,750	4,000
Sixteenth.....	2,065,875	43,500
Total.....	\$42,658,350	\$1,706,300

ASSESSED VALUATION OF PROPERTY EXEMPT FROM TAXATION.

State of New York:		
Arsenal and weigh-lock.....	\$90,000	
House of Refuge.....	300,000	
Strips on feeder.....	2,000	
Vacant lot.....	200	
	500	
		\$392,700
County of Monroe:		
Court house.....	\$250,000	
Jail.....	15,000	
		265,000
City of Rochester:		
Public schools.....	\$340,900	
Front street building.....	50,500	
Engine houses.....	46,700	
Public parks.....	100,000	
Water works.....	725,000	
City hall.....	200,000	
Free academy.....	100,000	
Orphan asylum.....	75,000	
City hospital.....	125,000	
		1,763,100
Churches:		
Presbyterian.....	\$268,000	
Episcopalian.....	102,500	
Methodist.....	115,000	
Baptist.....	137,000	
Universalist.....	15,000	
Lutheran.....	82,000	
Unitarian.....	15,000	
Friends.....	14,500	
Academics, schools and asylums.....	374,000	
		1,123,000
Hebrew institutions:		
Synagogues.....	\$24,000	
		24,000
Catholic institutions:		
Churches.....	\$209,000	
Schools, academies and asylums, including two churches.....	291,000	
Hospitals.....	102,500	
		602,500
Miscellaneous:		
Thirty-two clergymen exempt at \$1,500 each.....	\$48,000	
		48,000
Grand total.....	\$4,218,300	
Total assessed valuation of real estate.....	\$46,828,650	

FINANCIAL.

BONDED DEBT OF THE CITY OF ROCHESTER AS IT HAS EXISTED FOR TEN YEARS.

April 1, 1869.....	\$789,000 00
April 1, 1870.....	681,286 13
April 1, 1871.....	619,286 13
April 1, 1872.....	782,786 13
April 1, 1873.....	975,586 13
April 1, 1874.....	2,742,086 13

April 1, 1875.....	4,993,186 13
April 1, 1876.....	5,594,686 13
April 1, 1877.....	5,549,186 13
April 1, 1878.....	5,471,686 13
April 1, 1879.....	5,446,186 13

STATEMENT OF FLOATING DEBT DURING THE SAME PERIOD.

April 1, 1870.....	\$89,422 68
April 1, 1871.....	93,351 80
April 1, 1872.....	133,360 00
April 1, 1873.....	180,371 38
April 1, 1874.....	159,229 58
April 1, 1875.....	213,984 99
April 1, 1876.....	192,608 05
April 1, 1877.....	175,331 94
April 1, 1878.....	82,442 45
April 1, 1879.....	36,214 45

I do not wish to be understood as saying that the above figures represent the only indebtedness of the city; but I do claim it as on the whole a satisfactory showing. We have borrowed money as against unpaid taxes and assessments, but to no very great extent. The statement termed 'floating debt' represents the obligations of the city outstanding, which have been issued, as has long been the custom, in anticipation of one and two year payments by parties assessed for the benefits derived from local improvements. The two latter classes of liabilities, we have a right to assume, are fully provided for, and will be gradually diminished by those who have thus far been unable to pay promptly. I believe there is no city in the Union which has, during the past ten years, made so many valuable and substantial improvements and is now so free from debt in this respect as are we. The illness of our very efficient city treasurer has prevented me from going into this subject as fully as I had intended, and I therefore call your attention to his annual report soon to be issued from the press.

MISCELLANEOUS.

There are many other matters on which I might dwell, but time will not permit. The City-attorney, Mr. Wheeler, is entitled to the thanks of the community for the very able and intelligent manner in which he has discharged the duties of his position.

Questions relating to the interpretation and the enforcement of the excise laws, have recently attained more than ordinary prominence in Rochester; and as the issues under them are soon to be in process of determination by competent tribunals, it would seem proper for me to submit them for such review without further comment. I shall, however, cheerfully and patiently await the result with full convictions as to the legality of my action and the rectitude of my intentions.

In conclusion, I desire to return hearty and sincere thanks to the heads and employees of the different city departments, and to the retiring board of aldermen, as well as to citizens generally, for kind and courteous treatment accorded me; and I trust and believe the same pleasant relations will continue during the year on which we have entered.

CORNELIUS R. PARSONS.

Ald. Mandeville moved that the address be received, filed and published. Adopted.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

Petition of Anna Gleason for damages, falling upon a walk. Referred to Law Committee.

By Ald. Otis—Report of Police Clerk for month of March, as follows:

REPORT OF THE POLICE CLERK FOR THE MONTH OF MARCH, 1879.

POLICE COMMISSIONERS' OFFICE, }
April 8th, 1879. }

To the Honorable the Common Council:

GENTLEMEN—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of March, 1879, together with the amount collected:

1879.	Crime.	Penalty.	Paid.
March.	drunk	\$10	9
1—Cath. Ellis,	..	10	
Annie Felton,	..	10	10
John Ziegler,	..	10	10
3—Robt. Boyle,	..	10	10
Patk. Guohrie,	..	5	5
Henry Butler,	..	5	5
James O'Kane,	..	10	3
Saml. Stokes,	vio. ord.	10	3
Frank Buell,	assault	cost	2
John Sabie,	..	cost	2
4—John Martiu,	drunk	5	5
Caroline Zoner,	..	5	5
5—Thos. Kilpatrick,	..	10	
Wm. Lockhart,	..	10	
Geo. Wise,	..	10	
Geo. C. Andrews,	..	5	
Patk. Welch,	..	5	
Harry Lawrence,	vio. ord.	2	2
John O'Brien,	assault	10	10
6—Curtis F. Feiden,	drunk	5	5
James McGill,	assault	10	10
Carrie Hubbard,	vio. ord.	25	
7—Rich. Roberts,	dru..k	5	5
Joseph Quinn,	..	5	5
8—Maggie Andrews,	..	5	5
John Keenan,	..	5	
Ellen Terry,	..	10	
Wm. S. Ward,	petit larceny	cost	5
10—Joseph Lark,	..	10	
John McGraw,	drunk	5	
Dennis Gra..in,	assault	10	5
11—John Boyle,	drunk	10	
Joseph Dorphy,	..	10	5
John McDermott,	assault	25	25
Mich Mungavin,	drunk	10	5
John O'Brien,	old fine	5	5
Joseph Roth,	assault	cost	5
12—Robt Bennett,	drunk	5	5
Archibald Sherwood,	pet. larceny	15	
Rich. Sullivan,	assault	cost	2
Pat'k Rogers,	vio. ord.	5	
13—John Doyle,	pet. larceny	cost	2
Jos. Dissenroth,	drunk	5	
Emma Storms,	vio. ord.	25	10
Hattie Wordell,	..	25	10
14—John Walls,	cruelty to animals	10	5
15—Jennie Streeter,	vio. ord.	10	10
Mary Harrington,	..	10	10
James Bennett,	..	10	5
Anna B. Jackson,	pet larceny	cost	5
17—Luke Ferguson,	drunk	10	
Jesse G Aten,	..	5	5
August Lorenzo,	..	5	2
Wm Atkin,	assault	25	
Mary Kinsella,	drunk	5	
Wm Cranstone,	..	5	5
John Lacc,	..	10	10
Armond Beltz,	..	5	5
James Keefe,	..	5	
John Doyle,	..	5	
Geo. Yattau,	old fine	..	50
18—Thos. Couchlin,	assault	cost	1 50
John Jackson,	..	cost	1 50
Joseph Crocker,	drunk	10	
Fred Hart,	..	10	
19—Arudt Rosenthall,	..	10	
Thos. Carey,	..	5	
James Moore, Jr,	..	10	10
Wm Kelly,	..	10	5
Mich. Burns,	..	10	
Thos. Holoran,	cruelty to animals	10	5
Geo. Cooper,	vio. ord.	5	
Thos. P. Langhney,	..	cost	2
20—Cora Summers,	old fine	..	10 44
22—Keron Garrity,	drunk	5	
24—Wm. Fisher,	..	10	
Wm. Goodman,	..	10	
John Shane,	..	10	

Thos. Williams, ..	40	
Chris. Walker, ..	10	10
Wm. Rich, ..	10	5
Geo. Walter, ..	10	5
John Elter, ..	10	5
Henry Weigel, ..	10	5
Rich. Lavis, ..	5	3
25-Peter F. Conroy, ..	10	10
John Knupper, ..	10	10
James McElahan, ..	25	5
26-Edk. Flanagan, ..	5	5
Maggie Connors, ..	5	5
John Murray, ..	10	5
Jas. C. Coulter, ..	5	5
Otis McDermott, ..	10	5
Joseph Crawley, ..	5	5
28-Jennie Smith, ..	5	5
John Morrison, ..	5	5
Geo. Tillotson, ..	5	5
Frank King, ..	5	5
Flora Miller, ..	5	5
Royal Schuyler, ..	5	5
Peter Smith, ..	5	5
Arthur McEann, ..	5	5
Edward Cable, ..	5	5
Anna Giering, ..	50	5
31-Chas. Fredericks, ..	5	5
Joseph Strabel, ..	10	10
Thos. Gorman, ..	5	5
Jennie Williams, ..	25	5
Minnie Cole, ..	25	5
James Williams, ..	50	5
Geo. Lousbury, ..	25	5

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of March, 1879, is true.

B. FRANK ENOS, Clerk.
Sworn to before me this 8th day of April, 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.
By Ald. Mandeville—Petition of James Doyle to erect a wood building. Referred to Wood Building Committee and Fire Marshal with power to act.

By Ald. Mandeville—
Resolved, That our representatives in the State Legislature be requested to use all honorable means to secure the passage of an act granting any portion of the Genesee Valley Canal to a responsible railway company for the purpose of building a railroad connecting with lines terminating in Rochester.
Adopted unanimously.

By Ald. Mandeville—Resolved, That the President appoint a committee of three, whose duty it shall be to report at the next regular meeting of this Board, a schedule of salaries to be paid city officials and employees for the ensuing year. Adopted.

By Ald. Vay—Bill of Rochester Printing Co. for \$6. Referred to Stone Breaking Committee.

Ald. Vay presented the following:
STATE OF NEW YORK,
MONROE COUNTY CLERK'S OFFICE. }

I certify that having carefully examined the records of Naturalization in this, and do certify that I find no record of naturalization of William F. Sheehan or Fred'k Neuslin since the first day of January, 1874.

In testimony whereof I have hereunto set my hand and affixed the seal of said county this 8th day of April, 1879.

J. CUTLER, Deputy Clerk.

Ald. Warren moved that the matter of the eligibility of the officers elected by the Common Council at the meeting held April 7th, be referred to the City Attorney to report at the next regular meeting. Adopted.

By Ald. Edelman—
ROCHESTER, April 1, 1879.

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

GENTLEMEN : I have the honor of presenting to your honorable body the following report of services rendered by me to sick poor of the northeast section of the city, during the year ending March 31st, 1879 :

Number of patients treated.....	687
.. visits made.....	1 628
.. prescriptions furnished.....	1,517
.. office consultations.....	1 408
.. examinations for insanity.....	19
.. births.....	13
.. deaths.....	10

Respectfully submitted,
GEO. BENFORD, M. D.

Ordered received, filed and published.
By Ald. Weaver—Petition to erect a wood building. Referred to Wood Building Committee and Fire Marshal.

By Ald. Weaver—Petition for a plank walk in Lincoln street. Referred to Improvement Committee.

REPORTS OF STANDING COMMITTEES.

By Ald. Knobles—Resolved, That Christ. Wamp Patrick Shea, S. W. Paine, Eli Leavenworth, Peter Saile, and Thomas W. Wark have permission to erect wood buildings, in accordance with their several petitions, under the direction of the Wood Building Committee and Fire Marshal. Adopted.

By Ald. Knobles—Petition for a bridge over the creek in Sherman street. Referred to Improvement Committee.

By Ald. Knobles—Bills of
H. Austin Brewster & Co., groceries..... \$2 80
L. A. Jeffrey, burials..... 75 00
Joseph Schutte, Overseer's disbursements..... 67 25
John Groh, shoes..... 120 75
A. Bauerschmidt, meat..... 10. 00
Referred to the Poor Committee.

By Ald. Hart—Petition for lamps in Henrietta avenue. Referred to Lamp Committee.

By Ald. Hart—Resolved, That the members of the Legislature from this city are requested to favor the bill for changing the boundary line of the city.

Ald. Westbury moved that it lie on the table until the next regular meeting.

Adopted by the following vote:
Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles—13.

Nays—Ald. FitzSimons, Edelman, Hart—3.
By Ald. Hart—

Whereas, A bill has been introduced into the Legislature having for its object the changing of the boundary lines of the city, more especially in the 16th Ward, thus disorganizing the existing status of the understanding and agreement made between the people of the old district and the new territory when the latter was taken into the city proper; and

Whereas, By this annexation certain benefits were conferred upon the new territory as against the interests of the old territory, and in especial instances property has been largely enhanced in value by improvements only obtainable by municipal legislation and communication, and that strictly farming property, through an understanding, has been assessed as farming land and at no advance over the assessments made against such property when attached to the towns from which taken; and

Whereas, The changing of the lines as proposed in the bill now pending in the Assembly sets back into the towns territory through which large outlet sewers have been constructed, and such action leaving the city and property therein at the mercy of persons who should

see fit to present claims for damages, or might be malicious enough to shut off the communications with the sewers in the city draining into these outlet sewers; and

Whereas, The majority of the property owners in East avenue and adjacent thereto are opposed to any change in the lines, the exceptions being only those who are actuated by selfish motives as against the good of the majority; and

Whereas, An agreement to leave out strictly farming lands would be special legislation and injurious to the great number of taxpayers, and render contingent and more probable the incorporation of an amendment setting out the improved property in East avenue; and

Whereas, The present bill, by the lines as stated therein, cuts in twain large and valuable manufacturing buildings, leaving one portion in the city and the other in the town of Brighton; and

Whereas, There is now pending in the Legislature a bill defining in a general way the power of municipalities and towns to establish and regulate boundary lines, and the passage of said bill would regulate all such questions as this; therefore

Resolved, That a Committee of three members of this Board, with the City Surveyor, be appointed, with instructions to at once proceed to Albany and oppose in every honorable way the bill for the changing of the boundary lines of this city.

Resolved, That our members of the Legislature be and they are hereby requested to use their best endeavors to defeat the passage of said bill.

Resolved, That Henry S. Hebard, E. S. Hayward, James Vick, Sr., and J. George Baetzel be invited to accompany the Committee of the Council to Albany and assist them in the work assigned to said Committee.

Ald. FitzSimons moved to receive, file and publish, and that it lie on the table until the next regular meeting. Adopted.

Ald. Vay reported favorably on the bill of the Rochester Printing Company, and moved its reference to the Executive Board for payment. Adopted.

Ald. Knobles, from the Poor Committee, referred the bills referred to the Poor Committee to the Finance Committee.

Ald. Warren presented the Finance Budget, and on his motion it was laid on the table until the next regular meeting.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

MAYOR'S OFFICE.

ROCHESTER, N. Y., April 8, 1879. }

By the Clerk—

The original resolution amended was as follows:

Resolved, That the Mayor be and he is authorized and directed to renew the present contract with the two gas companies for lighting the public gas lamps for one year, from April 1st, 1879, except that the city shall pay for the gas actually used at the rate of two dollars per thousand feet, measured by the burner, and to light, extinguish and clean the same for \$3.00 per lamp, the city reserving the right to discontinue the use of such lamps at any time as they may be considered superfluous, and that the gas company shall charge no more than this price for the lights since the first day of January, 1879, and that the contract be sub-

mitted to the new board for its approval before being executed.

Ald. Warren moved to include the city building in the contract. Carried.

To the Honorable the Common Council:

GENTLEMEN: I submit to you for your consideration a copy of a contract left with me by the Citizens' Gas Light Co. for execution.

I think the terms prescribed therein are in compliance with the resolution of the Common Council adopted at its meeting April 1st, 1879.

CORNELIUS R. PARSONS, Mayor.

This agreement, made this first day of April, 1879, between the Citizens' Gas Company of Rochester, New York, of the first part, and the city of Rochester of the second part, witnesseth:—That for and in consideration of the amount hereinafter specified the Citizens' Gas Company hereby agrees to supply with gas all the gas lamps now erected on the East side of the Genesee River, in said city of Rochester; also such others as may be erected by the order of said city where the mains of said company are now laid, and to light and extinguish the same; also to clean and keep in repair the glass in the same for the term of one year from the date hereof. The time for lighting and extinguishing to be as follows: On the night of full moons, also on the night before and the night after full moons, no lighting at all; for the seven nights immediately succeeding the nights of no lighting the average time of lighting to be one-half hour after sunset, and the average time of extinguishing to be midnight; for all other nights the average time of lighting to be one-half hour after sunset and the average time of extinguishing to be one hour before sunrise. All the burners to be supplied by the city, and to consume only three and one-half feet per hour, the city of Rochester agreeing to allow said gas company three dollars per lamp per annum for lighting, extinguishing and cleaning the same.

The said Citizens' Gas Company agree further to furnish gas to be consumed in the city buildings within said district during the term of this contract. In consideration of the complete fulfillment of the above agreement on the part of the Citizens' Gas Company the city of Rochester agrees to pay to said company the sum of two dollars per thousand feet of gas so consumed, to be determined by the burner and metre respectively, payments to be made monthly. The gas consumed by said city of Rochester from January 1st, 1879, to this date, in said lamps is to be settled for at the same rate, and the lighting, extinguishing and cleaning of lamps at the rate of twenty-five cents per month for each lamp.

It is distinctly understood that the said city of Rochester reserves the right to discontinue the use of such lamps as they may consider superfluous.

Ald. FitzSimons moved to reconsider the resolution of Ald. Huntington, adopted April 1st, relating to contracting with the gas companies. Adopted.

Ald. FitzSimons offered the following as a substitute for the resolution:

By Ald. FitzSimons—Resolved, That the Mayor be and he is hereby authorized and requested to enter into contracts in behalf of the city with the two gas companies for one year from the first day of January, 1879, to supply gas for street lighting, and also for lighting the City Hall and the "Front Street Building," at

a price not to exceed \$2 per one thousand feet, and that the amount of gas consumed by street lamps shall be computed by the size of the burners now in use, namely 3 1/2 feet per hour under a "3 inch pressure," and that the so-called Cleveland system, or time table of the American Meter Company, be adopted instead of the present system; the companies to light, extinguish, clean and keep in repair all street lamps so supplied at an annual cost per lamp of not more than three dollars; the city to reserve the right to change the time table by giving one week's notice. The city to reserve the right to discontinue the use of any lamps at any time that may be considered superfluous.

Ald. Westbury moved that the matter lie on the table for two weeks.

Adopted by the following vote:
Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles—9.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Wickens, Hart—6.

By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, April 8th, 1879.

To the Hon. Common Council:

GENTLEMEN: The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the eighth day of April, 1879, as required by section 59 of the City Charter:

	Credit Balance.
Police Fund.....	\$224 90
Lamp Fund.....	10,498 08
Poor Fund.....	6,821 84
Park Fund.....	935 70
Health Fund.....	1,283 99
Home for Truants Fund.....	9 10
City Property Fund.....	1,011 59
Search Department Fund.....	495 90

GEORGE D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 8th day of April, 1879.

F. J. IRWIN,
 Commissioner of Deeds.

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD,
 OF THE CITY OF ROCHESTER,
 ROCHESTER, April 4, 1879. }

To the Common Council:

At a regular meeting of the Executive Board held this day, the following among other proceedings were had, viz.:

Petition to lay plank walk on Lime street. Received and filed.

By Mr. Fleckenstein—Resolved, That the Common Council be respectfully requested to pass an ordinance for a plank walk four feet eight inches wide in front of lots 61, 62, 63 and south part of lots 64 and 65, north side of Lime street. Adopted.

Attest: THOS. J. NEVILLE,
 Clerk of Executive Board.

Ald. Vay moved that it lie on the table. Adopted.

By the Clerk—

CITY CLERK'S OFFICE,
 ROCHESTER, N. Y., April 7th, 1879. }

To the Honorable the Common Council:

GENTLEMEN: In accordance with section 29 Revised City Charter I report the following persons as having qualified and taken the oath of office:

INSPECTORS OF ELECTION.

John F. Widman, 1st dist. 13th Ward.
 W. H. Anderson, 1st dist. 5th Ward.

COMMISSIONERS OF DEEDS.

E. M. Redman, B. Lehm,
 J. F. Hufiland.

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.

By the Clerk—

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

GENTLEMEN: The undersigned, Commissioner of Excise of the city of Rochester, report that moneys have been received by said Commissioners, from the persons named, and in the respective amounts set forth in the following schedule, commencing March 3d, 1879, to and including March 17th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Chas. W. Hartung, 126 Scio st.....	\$80
Michael McGill, 372 State st.....	30
Valentine Gillhard, 86 East Main st.....	30
Anthony Knope, 180 Oak st.....	30
Sebastian Klingler, 184 St. Joseph st.....	30
Frank D. Gagnon, 114 East Main st.....	30
Joseph A. Wolf, 45 Andrews st.....	30
Catharine Metzgar, 45 Hills st.....	30
George W. Parkinson, 13 Hill st.....	30

Total.....\$250

We have disposed of said moneys as follows:

Deposited with City Treasurer.....250

Licenses have been granted to all of the above named applicants.....

Dated February 28th, 1879.

JAMES BAKER,
 HERMANN MUTSCHLER,
 PARIS G. CLARK,
 Excise Com'rs.

STATE OF NEW YORK,)
 County of Monroe,) ss.

James Baker, Hermann Mutschler and Paris G. Clark, of the city of Rochester, in said County, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of persons and dates therein given, are correctly set forth in said report, and that said report embraces the whole of the moneys received from March 3d, 1879, to and including March 17th, 1879.

JAMES BAKER,
 HERMANN MUTSCHLER,
 PARIS G. CLARK,
 Com'rs of Excise

Subscribed and sworn to before me this 28th day of February, 1879.

B. FRANK ENOS,
 Com'r of Deeds

Ordered received, filed and published.

ACTION ON ORDINANCES.

PLANK WALK ON UNIVERSITY AVENUE.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank sidewalk 4 feet 8 inches wide on the north side of University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

Adopted.
 The Surveyor submitted, as such estimate \$315.

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

The construction of a plank sidewalk 4 feet 8 inches wide on the north side of University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$315, 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, viz.:

One tier of lots on the north side of University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised City Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, April 22d, 1879, at half-past seven o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

Ald. Warren moved to resolve that the action adopting certain first ordinances at the meeting held April 1st. Adopted.

PLANK WALK ON HELENA STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk 4 feet wide on the north side of Helena street from Hudson street to North st. Also the necessary crosswalks.

Adopted.

The Surveyor submitted as such estimate \$224.

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

The construction of a plank walk 4 feet wide on the north side of Helena street from Hudson street to North street. Also the necessary crosswalks.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$224, which estimate is hereby approved.

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

One tier of lots on the north side of Helena street from Hudson street to North street.

And the Clerk is hereby directed to publish notice in pursuance of title VII, section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Wednesday evening, April the 22d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PLANK WALK ON LINCOLN STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet eight inches wide on each side of Lincoln street from Channing street to Clifford street; also the necessary crosswalks.

The Surveyor submitted as such estimate \$1,116.

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

The construction of a plank walk four feet eight inches wide on each side of Lincoln street from Channing street to Clifford street; also the necessary crosswalks.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$1,116, which estimate is hereby approved.

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

One tier of lots on each side of Lincoln street from Channing street to Clifford street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April 22d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN FAVOR STREET.

By Ald. FitzSimons—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a pipe sewer in Favor street, from a point 51 feet north of Spring street to and across West avenue to the iron pipe under the Erie canal.

Also the necessary surface sewers, manholes and lot laterals.

Adopted.

The Surveyor submitted as such estimate \$1,120.

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

The construction of a pipe sewer 15 inches in diameter in Favor street, from a point 51 feet north of Spring street to and across West avenue to the iron pipe under the Erie Canal.

Also the necessary surface sewers, manholes and lot laterals.

And Whereas, The City Surveyor, under direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$1,120, which estimate is hereby approved.

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

One tier of lots on each side of Favor street from Spring street to West avenue, excepting the lots on the northeast and northwest corners of Spring and Favor streets.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter, of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April the 22d, 1879, at half-past 7 o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN HELENA STREET.

By Ald. FitzSimons—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a pipe sewer 12 inches in diameter in Helena street, from the sewer in North street, to a point 75 feet east of Hudson street. Also the necessary man holes, surface sewers and lot laterals.

The Surveyor submitted as such estimate \$931.

Adopted.

By Ala. FitzSimons—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 12 inches in diameter in Helena street, from the sewer in North street, to a point 75 feet east of Hudson street. Also the necessary man holes, surface sewers an lot laterals.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$931, which estimate is hereby approved;

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

One tier of lots on each side of Helena street from North street to Hudson street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, April 22, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

WADSWORTH STREET PLANK WALK.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet wide on the south side of Wadsworth street, from Hudson street to North street.

Adopted.

The Surveyor submitted as such estimate, \$243.

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

The construction of a plank walk four feet wide on the south side of Wadsworth street, from Hudson st. to North street.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$243, which estimate is hereby approved.

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

One tier of lots on the south side of Wadsworth st. from Hudson street to North street.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, April 22d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN DRAPER STREET.

By Ald. FitzSimons—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a 12 inch pipe sewer in Draper street, from the sewer in North avenue to a point 50 feet east of Concord avenue; also the necessary manholes, surface sewers and lot laterals.

Adopted.

The Surveyor submitted as such estimate \$850.

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

The construction of a 12 inch pipe sewer in Draper street, from the sewer in North avenue to a point 50 feet east of Concord avenue; also the necessary manholes, surface sewers and lot laterals.

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

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

One tier of lots on each side of Draper street from Concord avenue to North avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April the 22d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

WIDENING AND EXTENDING ACKERMAN STREET.

By Ald. Baetzler—Resolved, That the City Surveyor ascertain and report to this Council the expense of

widening and extending Ackerman s treet, from Bay street to the plank road.

Adopted.
The Surveyor submitted as such estimate, \$400.
By Ald. Baetzel—Resolved, That the following improvement is expedient, viz.:

The widening and extending of Ackerman street, from Bay street to the plank road, and the following described territory is deemed necessary to be taken therefor, viz.: A strip of land 16½ feet in width on each side of the present east line of Ackerman street, and said east line continued to the plank road.

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

One tier of lots on the each side of the said Ackerman street, as proposed to be widened and extended, from Bay street to the plank road.

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

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 185 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, April 2d, 1879, at 7½ o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

By Ald. Vay—Resolved, That his Honor the Mayor and Police Commissioners are hereby instructed to strictly enforce the ordinances relating to railroads.

Ald. Mandeville in the chair.

Ald. Chace moved to strike out the words "Police Commissioners."

Accepted by Ald. Vay.

The resolution of Ald. Vay was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

EXECUTIVE BUSINESS.

By Ald. Chace—

ROCHESTER, April 8, 1879.

To the Honorable Common Council:

GENTLEMEN:—I hereby tender you my resignation of the office of Commissioner of Mount Hope, the same to take effect immediately. Desiring to be relieved of the cares and duties pertaining to the office, I deem it but proper that my successor shall commence his duties at the commencement of the life of a new Board of the City Council. In retiring from the office I desire to extend to my friends in the Council my heartfelt thanks for their uniform support and kindness during the many long years that I have held the office.

Yours truly, JAMES H. KELLY.

Ald. Chace moved that the resignation be accepted.

Ald. FitzSimons moved, as an additional resolution, that the thanks of the Council be tendered to Mr. Kelly for the faithful manner in which he had discharged the duties of Commissioner of Mt. Hope. Accepted by Ald. Chace, and the motion was then adopted.

Ald. Chace moved to ballot for a Commissioner of Mt. Hope to fill the vacancy occasioned by the resignation of James H. Kelly. Adopted. He nominated George H. Thompson. Ald. Westbury nominated John T. Fox.

FIRST BALLOT.

Geo. H. Thompson received.....13 votes
John T. Fox .. 2 votes
Wm. S. Smith .. 1 vote

4

George H. Thompson, having received the requisite number of votes, was declared elected Commissioner of Mt. Hope to fill the unexpired term of James H. Kelly, resigned.

Ald. Hart moved that the Board proceed to ballot for Police Commissioners. Adopted.

FIRST BALLOT.

Jacob Howe, Jr., received..... 5 votes
Dr. Smyles .. 3 ..
Henry C. Daniels .. 2 ..
J. H. Wilson .. 2 ..
Wm. S. Smith .. 1 vote
Jacob Rauber .. 1 ..
A. B. Lambertson .. 1 ..

SECOND BALLOT.

Jacob Howe, Jr. received..... 8 votes
Henry C. Daniels .. 4 ..
John Smyles .. 2 ..
J. H. Wilson .. 1 vote
Peter Kraup .. 1 ..

THIRD BALLOT.

Jacob Howe, Jr. received..... 6 votes
Henry C. Daniels .. 2 ..
J. H. Wilson .. 2 ..
John Smyles .. 3 ..
J. Klein .. 1 vote
J. Rauber .. 1 ..
Blank .. 1 ..

FOURTH BALLOT.

Jacob Howe, Jr. received..... 6 votes
H. C. Daniels .. 2 ..
John Smyles .. 5 ..
Blank .. 1 vote

FIFTH BALLOT.

Jacob Howe, Jr. received..... 6 votes
John Smyles .. 3 ..
H. C. Daniels .. 1 vote
John H. Wilson .. 3 votes
Blank .. 1 vote

Ald. Hart moved that further balloting be postponed until the next regular meeting.

Lost by the following vote:

Ayes—Ald. Otis, Warren, Mandeville, Edelman, Weaver, Hart—6.

Nays—Ald. Tracy, FitzSimons, Westbury, Hebing, Crouch, Chambers, Chace, Wickens, Knobles—9.

SIXTH BALLOT.

Jacob Howe, Jr. received..... 4 votes
Dr. Smyles .. 2 ..
H. C. Daniels .. 3 ..
J. H. Wilson .. 2 ..
A. H. Cushman .. 1 vote
J. W. Martin .. 1 ..

SEVENTH BALLOT.

Jacob Howe, Jr. received..... 6 votes
Dr. Smyles .. 2 ..
H. C. Daniels .. 2 ..
Wm. H. Moore .. 1 vote
J. H. Wilson .. 1 ..
J. W. Martin .. 1 ..
Geo. B. Swikehard .. 1 ..

EIGHTH BALLOT.

Jacob Howe, Jr. received..... 6 votes
Dr. Smyles .. 5 ..
H. C. Daniels .. 2 ..
J. W. Martin .. 1 vote
Blank .. 1 ..

NINTH BALLOT.

Jacob Howe, Jr. received.....	4	votes
H. C. Daniels	4	..
J. W. Martin	4	..
Dr. Smyles	1	vote
J. H. Wilson	1	..
W. S. Smith	1	..

TENTH BALLOT.

Jacob Howe, Jr. received.....	5	votes
H. C. Daniels	4	..
Dr. Smyles	2	..
Wm. S. Smith	1	vote
J. H. Wilson	1	..
Perley Ainsworth	1	..

Ald. Edelman moved that further balloting be postponed until the next regular meeting. Adopted.

MISCELLANEOUS BUSINESS.

By Ald. FitzSimons—Whereas, Section 48 of the revised City Charter contains an important provision heretofore entirely disregarded, to wit: That "the Common Council shall audit and settle the accounts * * * * and the accounts of all other officers and persons having claims against the city, or accounts with it, and shall make out a statement in detail of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified, the several items of expenditure made by the Common Council, the object and purposes for which the same were made, and the amount of money expended under each," &c.; therefore,

Resolved, That the City Clerk be and he is hereby requested and required to make out a detailed statement, so as to conform to the charter requirements, and that the same be immediately prepared and published in the official papers of the city and incorporated in the annual report of the Common Council proceedings. Adopted.

The President announced the following Committee on Salaries: Ald. Mandeville, Crouch, Hebing.

On motion of Ald. Crouch, the Board then adjourned.

EDWARD ANGEVINE,
City Clerk.

In Common Council--April 22, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the previous meeting were approved as published in book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Westbury, petition to sprinkle Spring street. Referred to Improvement Committee.

Also petition to sprinkle Plymouth avenue. Same reference.

By Ald. Otis, claim of Dr. Collins for damages. Referred to Law Committee.

By Ald. Warren, petition of H. S. Redfield, Esq. Referred to Law Committee.

Also petition for sidewalk in Evergreen street. Referred to Improvement Committee.

By Ald. Crouch, petition for sprinkling Monroe avenue. Referred to Improvement Committee.

Also petition of Henry Goodwin to erect wood building. Referred to Wood Building Committee and Fire Marshal.

By Ald Chambers, petition for plank walk on Mansion street. Referred to Improvement Committee.

Also petition for stone sewer in Hudson street. Referred to Sewer Committee.

By Ald. Chambers—

APRIL 22D, 1879.

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

GENTLEMEN: The committee recently appointed for the purpose of considering the question relating to the drainage of the southwestern portion of the city most respectfully present the following report :

No portion of the city of Rochester at the present time stand in as much need of an outlet sewer for sanitary and other purposes as that portion lying mostly south of West avenue and west of the Genesee river. The topography of the territory in question shows that in early times all surface water found its way directly to the Genesee river, or in one or two cases more directly into small streams, which eventually made their discharge into the river at points north of the drainage area.

Until the year 1844 no trouble had been found in readily disposing of the surface water, as the natural facilities were such as to readily free this section from all surface water.

The southern portion of the Eighth Ward is one of the oldest parts of the city, and in former times seemed destined to become the most desirable portion to locate in. This locality was considered especially desirable for various reasons. The elevation of the ground in many places was greater than in any other portion of the city. The natural valley leading to the northward, and now occupied by the Genesee Valley canal, offered unusual facilities for the drainage of that entire region. The beauty of landscape from the more elevated portion seemed to enhance the value of the property itself and of that in the immediate vicinity to more than a usual extent. Many of our oldest settlers (then men of middle age) sought out this choice location and purchased property, with the intention of erecting dwellings upon it which would become their future homes. But the construction of the Genesee Valley canal (while it was considered to be for the benefit of the city of Rochester,) caused the utter ruin of certain portions of it. Located as it was along the foot of the slope of the area naturally draining into the Genesee river, and carried through the only valley by which this region could be drained, thereby cutting off all streams and natural outlets, people who once had sought homes in that locality turned in other directions, and to-day the property stands in many instances vacant and as sub-divided forty years ago.

In considering the best route for an outlet sewer, the committee carefully examined the entire territory, and took into consideration not only the present but the future wants of the citizens of this locality. A meeting was held at the office of the City Surveyor on the evening of April 17th, and a careful examination of various maps prepared by the Surveyor for the use of the committee. With a knowledge gained by personal observation, and data obtained from the maps in question, and realizing the immediate wants of the citizens most in-

terested, the following route has been selected as the most practicable one for an outlet sewer:

Beginning in the bed of the Genesee Valley Canal at the foot of the first lock, thence northerly and continuing in the bed of the Genesee Valley Canal to the Erie Canal. Passing under the same, and making a direct connection with Platt street, thence through Platt street to the tunnel already constructed at State street. The advantages gained by this route are many, and the entire fitness of the location is apparent from the following facts: First—It is the shortest route that will enable so large an area to be drained. Second—The canal being already excavated renders it the cheapest location. Third—The facilities which are afforded for connecting this outlet with the waters of the Genesee river for flushing purposes are a special inducement, and such as no other location offers, except at great expense. The territory which is proposed to be drained by and through this outlet is approximately as follows: A small portion of the western extremity of the First Ward. That portion of the Second Ward now being drained by the Platt street sewer. Nearly all the Third Ward lying west of Plymouth avenue. The entire Eighth Ward. That portion of the Eleventh Ward that now outlets into the Platt street sewer, and nearly all of the Fifteenth Ward lying south of Martindale avenue, in all amounting to about fifteen hundred acres. This plan for an outlet necessitates the taking up of the present Platt street sewer, enlarging and deepening the same, which, when completed, would for all time to come enable that large territory to easily and quickly convey all surface water and sewage matter into the Genesee river by way of the Platt street tunnel. In relation to the manner of making the assessments for the cost of this work, it is desirable that equity and justice may be meted out to all taxpayers alike, and in order that the various wards (which have heretofore been taxed for sewers, and which may be included in the territory to be taxed for this improvement) may receive their just apportionment We would suggest that the assessments in the territory be made as if no previous sewers had been constructed, and each individual taxpayer then be given credit for a certain proportion of the taxes which he may previously have paid. This plan, we think, would render benefits and burdens alike on all, and would be the means of furnishing a satisfactory adjustment of all taxes. In conclusion we would say that, aside from the great benefits to be derived from the speedy drainage of streets of surface water, for sanitary reasons alone this work should be undertaken immediately and prosecuted vigorously until completed. The healthfulness of the entire region adjacent to the Genesee Valley Canal will be impaired, and property will be decreased in value, as long as that trench filled with impure, unwholesome, slimy and stagnant water is allowed to remain in its present location. The law which was enacted during the year 1877 directs that the Genesee Valley Canal shall be closed, and that it shall be offered for sale, after being advertised for at least three months. The importance of reserving forever to the city of Rochester the right to enter upon said premises at all times, for the purposes of constructing and maintaining sewers or other desirable works, is at once apparent, and such steps should at once be taken as will ensure that result. To the end that the

southwestern portion of the city may be benefited equally with other portions, and that it may be made healthy and agreeable for its inhabitants, we would most respectfully suggest that the City Attorney be directed to examine the law relating to the closing and the sale of the Genesee Valley Canal and report in writing to your honorable body what steps are necessary to be taken in order to secure the speedy closing of the same, and also to secure to the city of Rochester the right to use said canal lands for sewerage or other purposes. We would also suggest that the City Surveyor be directed to prepare an ordinance for the construction of this outlet sewer, that in the event of the city speedily obtaining permission to use said lands for the purposes heretofore specified that no extra delay may be encountered.

All of which is submitted.

GEORGE ARNOLDT,
JOHN H. FOLEY,
W. H. GOODGER,
HENRY C. FROST,
OSCAR H. PEACOCK,
Committee.

Ordered received, filed and published.

By Ald. Chambers—Resolved, That the City Attorney be and he is hereby directed to examine the law relating to the closing of the Genesee Valley Canal, and report to this Board at its next regular meeting, what steps are necessary to be taken in order to secure the speedy closing of the same, and also to secure to city of Rochester, the right to enter upon said lands at all times, for the purpose of using the same for sewerage, or other purposes. Adopted.

By Ald. Chambers—Resolved, That the City Surveyor be directed to prepare an ordinance for the construction of an outlet sewer for the Eighth ward and other territory lying adjacent thereto. Adopted.

By Ald. Mandeville—Petition for an ordinance for a bridge over the Central Railroad tracks in East Main street. Referred to Improvement Committee.

By Ald. Mandeville—

NEW YORK CENTRAL & HUDSON RIVER
RAILROAD COMPANY,
CHIEF ENGINEER'S OFFICE,
ALBANY, April 18th, 1879.

H. F. Atkinson, Esq.:

DEAR SIR: I enclose plans of a bridge for the New Main street crossing, which I have submitted to Mr. Vanderbilt. I prepared them with the idea of affording ample accommodations for the through travel on the street, and at the same time to give free access to the adjacent lots, opposite the approaches. The cost of the structure complete will be from \$18,000 to \$20,000. I am authorized by Mr. Vanderbilt to say that he will build a first class permanent structure upon this general plan, and turn it over to the city, provided New Main st. and Goodman st. can be permanently closed on the exterior lines of our right of way, as shown by the dotted lines on the map. The closing of Goodman street would, of course, necessitate the opening of a new street from it to New Main street, somewhat as is indicated by the lead pencil lines on the map. I send you these plans to-day, so that you can discuss the matter with parties interested, in advance of my coming to Rochester, which I expect to do on Tuesday morning next.

The width of the roadway and the approaches to the bridge could be made three or four feet wider, if it should be deemed desirable, but it would be done only by diminishing the widths of the side roads and sidewalks in front of the adjacent lots. In my opinion the widths as drawn would best accommodate all parties interested. Yours truly,

CHARLES H. FISHER, Chief Engineer.

By Ald. Mandeville—
Whereas, An ordinance was passed March 18th, 1879, for the improvement of East Main street, with the intention of reducing the grade of said street to the present surface of the railroad tracks, and,

Whereas, It is deemed of vital importance to that portion of the city that a bridge should be constructed over the railroad tracks in connection with the present improvement; and,

Whereas, Mr. Vanderbilt, President of the N. Y. C. & H. R. R. R. has presented, through his Chief Engineer, Mr. Fisher, plans for a bridge, with the necessary retaining walls for the approaches thereto at the Main street crossing, which he proposes to construct at his own expense, at a cost of \$18,000 or \$20,000, if the city will consent to close the Goodman street railroad crossing; therefore,

Resolved, That the proposals of Mr. Vanderbilt be accepted subject to any slight changes in detail which circumstances may require, and that the City Surveyor be directed to prepare an ordinance for the opening of a street through the Hair property, from Goodman street to New Main street. Adopted.

By Ald. Wickens—Petition of H. M. Ellsworth to erect wood building and moved that permission be granted. Adopted.

By Ald. Mandeville—Remonstrance against opening of Ackerman street. Referred to the Committee on Opening and Alteration of Streets.

By Ald. Edelman—Petition to erect wood building. Referred to Wood Building Committee and Fire Marshal with power to act.

Also petition of Jacob Weber to erect wood building. Same reference.

Also petition for sewer in Hoelfer street. Referred to Sewer Committee.

Also petition for water pipe in Mark street. Referred to Executive Board.

By Ald. Weaver—Petitions of F. W. Stilwell, M. Eeverenden, John Hart and Allison D. Wright to erect wood buildings. Referred to Wood Building Committee.

Also petition of H. R. Selden and others for correction of an assessment. Referred to Assessment Committee.

Also remonstrance against plank walk in Lincoln Street. Referred to Improvement Committee.

By Ald. Hart—Resolved, That Palmer & Son have permission to remove their powder house to the 16th Ward under the direction of the Wood Building Committee and Executive Board. Referred to Wood Building Committee and Executive Board.

By Ald. Warren—

Whereas, The expiration of the term of office of the last three Justices of the Peace in and for the city of Rochester who were in office on the passage of the Municipal Court act forbidding the election of more Justices and establishing said Court in the stead of Justices Courts in said city; and this said Municipal Court being entirely inadequate with its pres-

ent judicial force to dispatch the increased and increasing business brought in said Court since the discontinuance of said Justices Courts; therefore,

Resolved, That it is the opinion of the Common Council of said city of Rochester that a third Judge should be added to said Municipal Court, and that our Senator and member of Assembly be requested to procure an amendment to said Municipal Court act providing for the election and appointment of said third Judge.

Referred to Law Committee on motion of Ald. Fitz Simons.

By Ald. Westbury—Petition of Wm. Croft to erect wood building, and moved that permission be granted. Adopted.

By Ald. Fitz Simons—Permission of Jeremiah Twaige to erect wood building. Referred to Wood Building Committee and Fire Marshal.

Ald. Hart asked and obtained permission to have the following resolution, offered by him at the last meeting and laid upon the table, taken up:

By Ald. Hart—Resolved, That the members of the Legislature from this city are requested to favor the bill for changing the boundary line of the city.

On motion Gen. Martindale was heard.

Ald. Hart moved the adoption of the resolution.

Lost by the following vote:

Ayes—Ald. Fitz Simons, Hart—2.

Nays—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—14.

Another resolution apposing the changing of the boundary line was indefinitely postponed on motion of Ald. Hart.

ROCHESTER, April 21, 1879.

To the Honorable the Mayor and Common Council:

GENTLEMEN:—The fact that the extreme northeast corner of the water table on the basement of the stone building now being taken down (Elwood block) was established by act of the State Legislature and made the line and starting point for the then Carroll and Buffalo streets (now State and West Main streets), and from that point all the lines of the streets running north in the Hundred Acre Tract, as well as all the lines in the Frankfort Tract, established by it. I deem it of sufficient importance to call your attention to the subject, inasmuch as the alteration of that point or line would jeopardize all the lines of streets north of West Main street in that section of the city.

I beg leave, therefore, to suggest that observation should be taken of its present location by proper authority, and also to see that some point is made in the new structure to correspond with the present line and corner, and be accurately described and placed on record.

If my memory serves me right the enactment and survey was made in 1827 or 1828, and David S. Bates was surveyor.

It is to be presumed, therefore, that the enactment and the transactions had thereon may be found in the records of the village of Rochester in one of the years above mentioned.

Respectfully submitted,

GEORGE ARNOLD.

Ordered received, filed and published.

By Ald. Warren—Petition in regard to erroneous assessment, North St. Paul street sewer. Referred to Assessment Committee.

By Ald. Tracy—Bills of C. A. Jeffords, lighting, &c., month of April, \$724.28. Also, of National Gas Light Co., lighting, &c., month of April, \$566.67. Referred to Finance Committee for payment.

REPORTS OF STANDING COMMITTEES.

Ald. Warren offered the Finance Budget.

Ald. Tracy moved that the old Finance Committee act until the new committee is appointed. Adopted.

Ald. Otis moved that the Budget be laid upon the table for two weeks. Adopted.

REPORTS OF SELECT COMMITTEES.

Ald. Mandeville, from the Select Committee on Salaries, reported progress and asked for further time, which was granted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

MAYOR'S OFFICE, }
ROCHESTER, N. Y., April 23d, 1879. }

Gentlemen of the Common Council:

I have to-day received the following letter from W. R. Seward, Esq. Will you please take such action as may seem suitable in connection with the same.

CORNELIUS R. PARSONS, Mayor.

BANK OF MONROE, }
ROCHESTER, N. Y., April 22, 1879. }

Hon. C. R. Parsons, Mayor, &c.:

We should be pleased to have you surrender to us the bonds given by this Bank to the city, as all liability under them has ceased long ago.

Respectfully, W. R. SEWARD.

Referred to Law Committee.

By the Clerk—

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., April 23, 1879. }

To the Honorable the Common Council:

GENTLEMEN: In pursuance with a communication from the City Attorney (page 197, proceedings of 1877-8.) and instructions from the Finance Committee, I did not file a copy of the list of lands sold in 1878 with the County Clerk, as provided in section 209 of the charter.

Inasmuch as the amendment dispensing with such record has never received further attention from your honorable body, I would respectfully ask for instructions in the premises.

I fully agree with Mr. Perkins as to its necessity or value, but prefer to leave the responsibility with you.

Very respectfully,

GEO. D. WILLIAMS, Treasurer.

Referred to Law Committee.

By the Clerk—

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

GENTLEMEN—The undersigned, to whom was referred the matter of the eligibility of the officers appointed by your honorable board at the meeting held April 7th, 1879, would report:

That section 1 of article 1, title 6, chapter 5, part 1, of the Revised Statutes of this State provides as follows:

"No person shall be capable of holding a civil office who at the time of his election or appointment shall not have attained the age of twenty-one years, and who shall not then be a citizen of this State."

By the provisions of the section above quoted a person to be eligible to hold any civil office must be at the time of his election or appointment a citizen of this State and of the age of twenty-one years.

After a careful examination and investigation into the facts I find that Frank J. Irwin, who was appointed to the office of City Messenger, was born in this city, and at the time of his appointment had attained the age of twenty-one years, and is therefore eligible to hold that office.

That Willam Fuller, who was appointed to the office of Sealer of Weights and Measures, was naturalized and became a citizen of this State in October, 1874, and at the time of his appointment had attained the age of twenty-one years, and is therefore eligible to hold that office.

That Dr. Julius S. Schmitt, who was appointed to the office of City Physician for the west side of the river, came to this country in August, 1867, was naturalized and became a citizen of this State in October, 1873, and graduated as a medical student from the University of Pennsylvania in 1873, and at the time of his appointment had attained the age of twenty-one years, and is therefore eligible to hold that office.

That Dr. Charles E. McKelvey, who was also appointed to the same office, was born in this city and graduated as a medical student from the University of Pennsylvania in 1875, and at the time of his appointment had attained the age of twenty-one years, and is therefore eligible to hold that office.

That Dr. Thomas A. O'Hare, who was also appointed to the same office, was born in this city and graduated as a medical student from the University of Pennsylvania in 1875, and at time of his appointment had attained the age of twenty-one years and therefore eligible to hold that office.

That Dr. William F. Sheehan, who was appointed to the office of City Physician for the East side of the river, came to this country in August, in 1874, and graduated as a medical student from the Buffalo Medical College in February, 1877, and at the time of his appointment had attained the age of twenty-one years, but was not then a citizen of this State, and is not therefore eligible to hold that office.

That Frederick Nussling, who was also appointed to the same office, came to this country in 1871, and graduated as a medical student from the University of Basel, in Switzerland, in 1871; that he declared his intentions of becoming a citizen of the United States in April, 1878, and at the time of his appointment had attained the age of twenty-one years, but was not then a citizen of the United States, and is not therefore eligible to hold that office.

That Ashbel L. Rockwell, who was also appointed to the same office, came to this city from Canada in 1873, that he graduated as a medical student from the Queen's University, in Kingston, in 1872, and at the time of his appointment he had attained the age of twenty-one years, but was not then a citizen of this State, and is not therefore eligible to hold the office under that appointment, although he was naturalized and became a citizen of this State on the following day, to-wit, April 8th, 1879.

I deem it my duty to state in behalf of Drs. Sheehan, Nussling and Rockwell that, although being ineligible to hold the offices to which they were severally appointed, on account of their

not being citizens of this State at the time of their appointment, yet from the examination and investigation made I found each of them in every other respect worthy, well qualified and fully competent to discharge the duties of the office.

All of which is respectfully submitted.
Dated Rochester, April 22d, 1870.

A. G. WHEELER, City Attorney.
Ordered received, filed and published.

Ald. Crouch moved that the office of the three physicians who are declared ineligible be declared vacant carried.

By the Clerk—

CITY ATTORNEY'S OFFICE,
ROCHESTER, N. Y., April 22, 1879. }

To the Common Council of the City of Rochester:

GENTLEMEN: At the Circuit Court, held in this city in March last Seth W. Marsh recovered a verdict against the city for \$600.00 damages in an action where he claimed to recover \$6,000 damages for emptying the contents of Lake avenue sewer on his premises, situate on Lake avenue and Deep Hollow Creek, in this city, and allowing the same to flow across his premises in an open ditch or trench into said creek. The nuisance still remains, and unless some immediate action is taken on the part of the city to abate it another action will be commenced against the city to recover further damages for maintaining and continuing the nuisance.

I procured a stay of proceedings for sixty days to enable your honorable board to settle the claim and to take some action by way of removing the alleged nuisance. Mr. Marsh and his attorneys are willing to meet any committee of your board to whom the subject matter may be referred with a view of coming to some amicable arrangement by which said nuisance may be abated. Provision should also be made for the payment of his claim, which, including damages, costs and interest to the present time, amounts in the aggregate to the sum of \$750.

I deem it also proper to call your attention to the fact that the eastern portion of the city is drained through outlet sewers emptying into ravines or small streams which flow through private property until they reach Irondequoit bay; and the persons owning this property claim that the discharge from these sewers into said streams creates a great nuisance to them and their property, and a number of these persons have already commenced actions against the city to recover damages therefor, in which damages are claimed in each case to the amount of from \$5,000 to \$10,000; and many other actions are threatened to be commenced by other owners unless the city adopts some immediate measures to abate the alleged nuisance, or procures the right of way through or over their premises. These suits can only be defended with great difficulty and expense to the city and with very slight prospect of success. In order to protect the interest of the city in this matter some speedy action should be taken by your honorable board to remedy the evil.

All of which is respectfully submitted..

A. G. WHEELER, City Attorney.

Referred to Law Committee.

By Ald. Westbury—Resolved, That the Clerk draw an order on the Treasurer for \$750, payable to the order of Benton & Dickinson, attor-

neys for Seth W. Marsh in full for his claim for damages and costs in the suit of said Marsh against the City on their producing and delivering to said Clerk a proper release or satisfaction of said claim to be approved by the City Attorney. Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.
By the Clerk—

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., April 22, 1879. }

To the Common Council:

GENTLEMEN.—I enclose you herewith a complete statement of the General City tax for 1878, showing the amounts called for by the assessment rolls and accounted for upon my books.

This report has been made upon the recommendation of the citizens committee appointed a year ago to examine this office who deemed it necessary to an intelligent settlement of the Treasurer's accounts. It has never been done before and while costing a very considerable amount of clerical labor in keeping the requisite books during the year the many occasions where such a record is of value to the city as well as the result of the settlement will in my opinion demonstrate its necessity and I recommend its continuance.

It will be seen that the assessment rolls with additions for water rents and sidewalk repairs call for the sum of \$864,998.99 which exceeds the tax levy by \$3.98 and my collections and charges account for a further excess of \$2.88 making a surplus to the city's credit of \$6.36.

This report is made as soon as possible after the completion of the tax sale and the necessary entries upon my books.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

STATEMENT OF AMOUNTS DUE ON ASSESSMENT ROLLS FOR GENERAL CITY TAX FOR 1878.

FIRST WARD.		
To General Assessment.....	\$157,154 22	
To Water Rents.....	898 86	
To Sidewalk Repairs.....	207 79	\$158,260 87
SECOND WARD.		
To General Assessment.....	\$73,527 58	
To Water Rents.....	1,064 18	
To Sidewalk Repairs.....	73 46	74,664 17
THIRD WARD.		
To General Assessment.....	\$72,249 18	
To Water Rents.....	541 87	
To Sidewalk Repairs.....	41 78	72,832 83
FOURTH WARD.		
To General Assessment.....	\$50,762 67	
To Water Rents.....	876 30	
To Sidewalk Repairs.....	67 72	51,706 69
FIFTH WARD.		
To General Assessment.....	\$85,611 57	
To Water Rents.....	1,441 13	
To Sidewalk Repairs.....	80 78	90,133 48
SIXTH WARD.		
To General Assessment.....	\$85,558 67	
To Water Rents.....	297 63	
To Sidewalk Repairs.....	87 98	85,899 28
SEVENTH WARD.		
To General Assessment.....	\$51,250 87	
To Water Rents.....	354 52	
To Sidewalk Repairs.....	88 52	51,663 42

EIGHTH WARD.		
To General Assessment.....	\$ 54,681 94	
To Water Rents	199 25	
To Sidewalk Repairs	207 28	55,088 47
NINTH WARD.		
To General Assessment.....	\$ 57,655 10	
To Water Rents	980 51	
To Sidewalk Repairs	67 46	58,703 07
TENTH WARD.		
To General Assessment.....	\$ 42,512 47	
To Water Rents	387 52	
To Sidewalk Repairs	44 10	43,944 09
ELEVENTH WARD.		
To General Assessment.....	\$ 29,853 72	
To Water Rents	45 63	
To Sidewalk Repairs	63 72	29,963 07
TWELFTH WARD.		
To General Assessment.....	\$ 35,454 60	
To Water Rents	240 87	
To Sidewalk Repairs	73 33	35,768 80
THIRTEENTH WARD.		
To General Assessment.....	\$ 30,944 46	
To Water Rents	193 26	
To Sidewalk Repairs	167 63	31,310 37
FOURTEENTH WARD.		
To General Assessment.....	\$ 34,106 16	
To Water Rents	147 43	
To Sidewalk Repairs	191 17	34,444 81
FIFTEENTH WARD.		
To General Assessment.....	\$ 10,921 72	
To Water Rents	241 88	
To Sidewalk Repairs		11,163 60
SIXTEENTH WARD.		
To General Assessment.....	\$ 30,356 74	
To Water Rents	150 02	
To Sidewalk Repairs	5 21	30,511 97
		\$364,998 99

AMOUNTS COLLECTED OR ACCOUNTED FOR ON ACCOUNT OF GENERAL CITY TAX FOR 1878.

FIRST WARD.		
By taxes paid.....	\$153,192 23	
By taxes cancelled.....	93 20	
By taxes sold.....	4,970 63	158,261 06
SECOND WARD.		
By taxes paid.....	\$71,001 96	
By taxes cancelled.....	58 92	
By taxes sold.....	3,603 20	74,664 08
THIRD WARD.		
By taxes paid.....	\$ 68,602 96	
By taxes cancelled.....	981 96	
By taxes sold.....	3,247 96	72,832 88
FOURTH WARD.		
By taxes paid.....	\$ 48,949 23	
By taxes cancelled.....	256 88	
By taxes sold.....	3,069 53	51,705 69
FIFTH WARD.		
By taxes paid.....	\$ 85,021 46	
By taxes cancelled.....	37 45	
By taxes sold.....	5,076 05	90,134 96
SIXTH WARD.		
By taxes paid.....	\$ 33,261 76	
By taxes cancelled.....	26 51	
By taxes sold.....	2,601 81	35,890 08
SEVENTH WARD.		
By taxes paid.....	\$ 47,092 45	
By taxes sold.....	4,571 35	51,663 80
EIGHTH WARD.		
By taxes paid.....	\$49,781 06	
By taxes cancelled.....	29 46	
By taxes sold.....	5,228 10	55,038 62
NINTH WARD.		
By taxes paid.....	\$54,453 09	
By taxes cancelled.....	137 43	
By taxes sold.....	4,112 86	58,703 43

TENTH WARD.		
By taxes paid.....	\$40,549	
By taxes cancelled.....	110	
By taxes sold.....	2,283	42,943 93
ELEVENTH WARD.		
By taxes paid.....	\$23,250 76	
By taxes cancelled.....	17 35	
By taxes sold.....	1,694 84	29,963 95
TWELFTH WARD.		
By taxes paid.....	\$33,352 96	
By taxes cancelled.....	132 56	
By taxes sold.....	2,283 90	35,768 82
THIRTEENTH WARD.		
By taxes paid.....	\$29,721 77	
By taxes sold.....	1,589 00	31,310 77
FOURTEENTH WARD.		
By taxes paid.....	\$32,007 46	
By taxes sold.....	2,437 86	34,445 32
FIFTEENTH WARD.		
By taxes paid.....	\$9,297 73	
By taxes sold.....	1,865 90	11,163 63
SIXTEENTH WARD.		
By taxes paid.....	\$29,064 97	
By taxes sold.....	1,446 33	30,511 30

Ordered received, filed and published. \$365,001 37

**CITY CLERK'S OFFICE,
ROCHESTER, April 23, 1879.**

To the Honorable Common Council:
GENTLEMEN: In accordance with Section 29, Revised City Charter, I report the following persons as having qualified and taken the oath of office:

PRESIDENT OF THE COMMON COUNCIL.

Emory B. Chace.
MOUNT HOPE COMMISSIONER.
George H. Thompson.
CITY MESSENGER.

F. J. Irwin.
CITY SEALER.

William Fuller.
CONSTABLE SECOND WARD.
P. H. Griffin.
COMMISSIONERS OF DEEDS.

J. P. Bainbridge, J. C. Burns and John Van Vechten.
Respectfully,
EDWARD ANGEVINE,
City Clerk.

ACTION ON ORDINANCES.

The final ordinance for extension of Tracy Park was postponed two weeks on motion of Ald. Crouch. Ald. Warren presented a remonstrance. Ald. Westbury moved its indefinite postponement. Lost by the following vote:
Ayes—Ald. Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Weaver—7.
Nays—Ald. Tracy, FitzSimons, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

**CITY TREASURER'S OFFICE,
Rochester, N. Y., April 21st, 1879.**

To the Hon. the Common Council,
GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2033, for Hart avenue plank walk, has been completed. The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$115.60.
Yours respectfully,
GEO. D. WILLIAMS Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,033.
PLANK WALK ON HART AVENUE.

Whereas, The Common Council did upon the 15th day of Oct., 1878, enact an ordinance for plank walk on Hart avenue.

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$115.60 including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on south side of Hart avenue from N. S. Flat to Galusha street.

Therefore, Resolved, That the sum of \$115.60, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, A. M. Koeth and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose on Saturday, the 28th day of April, 1879, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted.

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—13.

CITY TREASURER'S OFFICE,
ROCHESTER, April 21st, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,034 for Orange Street Sewer, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$566.18.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,034.

Whereas, the Common Council did upon the 29th day of October, 1878, enact an ordinance for pipe sewer in Orange street.

And, whereas, the City Treasurer has reported the actual expenses of said improvement to be the sum of \$566.18 including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Orange street, from Saxton street to a point 75 feet west of the west line of Grape street.

Therefore, Resolved, That the sum of \$66.18, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said city so designated of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, April 26th, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—13.

FINAL ORDINANCE NO. 2,054.

WADSWORTH STREET PLANK WALK.

On motion of Ald. Edelman, 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. Edelman submitted the following:

An ordinance to construct a plank walk four feet wide on the south side of Wadsworth street, from Hudson street to North street.

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

The construction of a plank walk four feet wide on the south side of Wadsworth street, from Hudson st. to North street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$243 which estimate is hereby approved; 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 Wadsworth st. from Hudson street to North street.

On which above described portion of the City the expenses are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE No. 2,055.

PLANK WALK ON UNIVERSITY AVENUE.

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

Plank walk on University avenue.

After hearing such allegations from all persons appearing—

Ald. Edelman submitted the following:

An ordinance to construct a plank walk 4 feet 8 inches wide on the north side of University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

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

The construction of a plank sidewalk 4 feet 8 inches wide on the north side of University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$315, which estimate is hereby approved; 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 University avenue, from the east line of Anderson avenue to the N. Y. C. & H. R. Railroad crossing.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,056.

PIPE SEWER IN DRAPER STREET.

On motion of Ald. FitzSimons 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. FitzSimons submitted the following:

An ordinance to construct a 12 inch pipe sewer in Draper street, from the sewer in North avenue to a point 50 feet east of Concord avenue; also, the necessary manholes, surface sewers and lot laterals.

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

The construction of a 12 inch pipe sewer in Draper street, from the sewer in North avenue to a point 50 feet east of Concord avenue; also the necessary manholes, surface sewers and lot laterals.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$350.00, which estimate is hereby approved; 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 Draper street from Concord avenue to North avenue.

On which above described portion of the City the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,057.

PIPE SEWER IN FAVOR STREET.

On motion of Ald. FitzSimons 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. FitzSimons submitted the following:

An ordinance to construct a pipe sewer in Favor st., from a point 51 feet north of Spring street to and across West avenue to the iron pipe under the Erie Canal.

Also the necessary surface sewers, manholes and lot laterals.

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

The construction of a pipe sewer 15 inches in diameter in Favor street, from a point 51 feet north of Spring street to and across West avenue to the iron pipe under the Erie canal.

Also the necessary surface sewers, manholes and lot laterals.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of lands to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$1,120, which estimate is hereby approved; 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 Favor street from Spring street to West avenue, excepting the lots on the northeast and northwest corners of Spring and Favor streets.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Ald. Westbury presented a remonstrance.

The City Surveyor was heard.

The ordinance was adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,058.

PLANK WALK ON HELENA STREET.

On motion of Ald. Edelman 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. Edelman submitted the following:

An ordinance to construct a plank walk 4 feet wide on the north side of Helena street from Hudson street to North st. Also the necessary crosswalks.

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

The construction of a plank walk 4 feet wide on the north side of Helena street from Hudson street to North street. Also the necessary crosswalks.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$24, which estimate is hereby approved; 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 Helena street from Hudson street to North street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,059.

PIPE SEWER IN HELENA STREET.

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

Pipe sewer in Helena street.

After hearing such allegations from all persons appearing,

Ald. FitzSimons submitted the following:

An ordinance to construct a pipe sewer 12 inches in diameter in Helena street, from the sewer in North street, to a point 75 feet east of Hudson street. Also the necessary man-holes, surface sewers and lot laterals.

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

The construction of a pipe sewer 12 inches in diameter in Helena street, from the sewer in North street, to a point 75 feet east of Hudson street. Also the necessary man holes, surface sewers an lot laterals.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$931, which estimate is hereby approved; 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 Helena street from North street to Hudson street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The final ordinance for a plank walk on Lincoln street came up.

Ald. Weaver moved that it lie on the table for two weeks. Adopted.

The final ordinance for widening and extending Ackerman street was on motion of Ald. Mandeville indefinitely postponed.

Ald. Cruch gave notice that at the next meeting of the Council he would move the adoption of the following amendments to penal ordinances relating to railroads:

SECTION 1. No railroad company or any other person shall direct, cause or suffer any engine, railroad car or tr in of passenger 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 \$150 for each offense.

2. No railroad company or any other person shall direct, cause or suffer any engine or railroad car composing a freight train 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 speed than twelve miles per hour under a penalty of \$150 for each offense.

3. 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 case of impending danger, warning, or for the actually necessary coupling or starting of trains and regulation of switches under a penalty of \$150.

4. No railroad company or any person in its employ shall use or occupy any portion of any street, lane, alley or square within said city, for the purpose of making a turn in cars, or switching on any car or cars, or shall in any manner obstruct any street, square or alley, under a penalty of \$150. But this section shall not be construed to prohibit the necessary transfer of cars, enabling the railroad companies to transact their business, providing such transfers do not intentionally obstruct the passage of any street or alley for more than five minutes at a time.

5. No railway company or any person in its employ, shall use any portion of any street, lane, alley or square for the purpose of unloading or loading any car, except in case of accident, under a penalty of \$150.

6. No locomotive engine shall be permitted to stand within fifty feet of any street crossing, for more than five minutes at a time, and while thus standing the person in charge of such engine shall not permit the unnecessary escape of steam from such locomotive.

7. 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 cleaned, under a penalty of \$150.

8. Every ordinance of this board in conflict with this ordinance is hereby repealed.

9. No person, unless an employee or passenger on any car of such railroad company, while passing through the city limits, shall get on or off such car while in motion, under a penalty of five dollars for each offense.

10. Every execution issued upon a judgment recovered for a violation of the preceding sections, shall command the amount to be made of the property of the defendant, if such can be found; and if not, then to commit the defendant to the Monroe County Penitentiary for the period of ten days.

FIRST ORDINANCE.

OPENING A STREET THROUGH THE HAIR PROPERTY FROM GOODMAN ST. TO EAST MAIN ST.

By Ald. Mandeville—Resolved, That the City Surveyor ascertain and report to this Council the expense of opening a street through the Hair property, from Goodman street to East Main street.

The Surveyor submitted as such estimate \$5,000.

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

The opening of a street through the Hair property from Goodman street to East Main street; and the property deemed necessary to be taken therefor is described as follows, viz: A strip of land 60 feet in width lying easterly and northerly of and adjoining the following described line, viz: Beginning at a point on the south line of East Main street 34 feet east of the west line of the Hair property, thence southerly in a curved line to intersect with the southerly line of the said Hair property, thence easterly along the southerly line of the said Hair property to the west line of Goodman street. Reference being had to a map of said property in the City Surveyor's office.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$5,000, which estimate is hereby approved.

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

One tier of lots on each side of East Main street, from Franklin street to the N. Y. C. & H. R. RR. Co.'s property, excepting the property through which it is proposed to open the new street; also, the territory en-

Closed within the following described boundary lines : commencing at the intersection of East Main street and Goodman street, thence northerly on Goodman street and including one tier of lots on the west side thereof to Bay street, also the lot on the northwest corner of Bay street and Goodman street, thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line, thence southerly along the city line to the northerly line of the N. Y. C. & H. R. RR. Co.'s property, thence westerly along the northerly line of the N. Y. C. & H. R. RR. Co.'s property to Goodman street, thence northerly on Goodman street to the place of beginning ; also the property lying on the southerly side of the proposed street, known as the Wamsley property.

And further, That the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, May 6th, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

UNFINISHED BUSINESS.

Under this head the following resolution was taken from the table :

By Ald. FitzSimons—Resolved, That the Mayor be and he is hereby authorized and requested to enter into contracts in behalf of the city with the two gas companies for one year from the first day of January, 1879, to supply gas for street-lighting and also for lighting the City Hall and the " Front Street Building " at a price not to exceed \$2 per one thousand feet, and that the amount of gas consumed by street lamps shall be computed by the size of the burners now in use, namely 3½ feet per hour under a " 3-inch pressure," and that the so-called Cleveland system, or time-table of the American Meter Company, be adopted instead of the present system; the companies to light, extinguish, clean and keep in repair all street lamps so supplied at an annual cost per lamp of not more than three dollars; the city to reserve the right to change the time-table by giving one week's notice—the city to reserve the right to discontinue the use of any lamps at any time that may be considered superfluous.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. Hebing, Crouch, Chambers, Chace—4.

Ald. Fitz Simons moved that when the Board adjourn it be until one week from to-night. Adopted.

Ald. Warren moved to suspend the rule to adjourn at eleven o'clock.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Hart—12.

Nays—Ald. Westbury, Mandeville, Wickens, Knobles—4.

The following communication was taken from the table :

By the Clerk—

EXECUTIVE BOARD,
OF THE CITY OF ROCHESTER.
ROCHESTER, April 4, 1879.

To the Common Council :

At a regular meeting of the Executive Board held this day, the following among other proceedings were had, viz. :

Petition to lay plank walk on Lime street. Received and filed.

By Mr. Fleckenstein—Resolved, That the Common Council pass an ordinance for a plank walk four feet eight inches wide in front of lots 61 62, 63 and south part of lots 64 and 65, north side of Lime street. Adopted.

Attest: THOS. J. NEVILLE,

Clerk of Executive Board.

Ald. Vay moved that it lie on the table for two weeks. Adopted.

By Ald. Warren—Resolved. That the Treasurer be and is hereby authorized to draw the city's notes for twenty-five thousand dollars, and get the same discounted and charge discount to Contingent Fund, the same being to renew notes of like amount maturing April 28th, 1879. Adopted.

By Ald. Crouch—Resolved, That His Honor the Mayor be and is hereby instructed to postpone any further action in regard to enforcing the ordinance in relation to railroads until further instructions from this Board.

Ald. Weaver moved that the resolution be indefinitely postponed. Adopted.

By Ald. Chace—Petition of tax payers living on Backus avenue. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Chace—Resignation of John A. McGorray as Commissioner of Deeds. Accepted.

EXECUTIVE BUSINESS.

Ald. Chace moved that the Board proceed to ballot for Commissioner of Deeds.

The following named persons, having received the requisite number of votes, were declared duly elected :

- Chas. D. Evans, John Mewhirter,
- J. A. Wile, John E. Roe,
- C. G. Hapgood, David Danhowe,
- Omar Binney, J. W. Dunham.

Ald. Hart moved that the Board proceed to ballot for Police Commissioner.

FIRST BALLOT.

Martin Barron.....	4
Jacob Howe, Jr.....	5
S. S. Eddy.....	1
John Cline.....	2
James Beauchamp.....	1
Blank.....	3
	16

SECOND BALLOT

Martin Barron.....	6
Jacob Howe, Jr.....	5
John Cline.....	2
S. S. Eddy.....	1
Jas. Beauchamp.....	1
Blank.....	1
	16

THIRD BALLOT.

Martin Barron.....	6
Jacob Howe, Jr.....	6
John Cline.....	2
L. F. Relyea.....	1
Geo. Taylor.....	1
	16

FOURTH BALLOT.

Martin Barron.....	5
Jacob Howe, Jr.....	4
John Cline.....	3
L. F. Relyea.....	1
John Foley.....	1
Blank.....	1
	14

Ald. Crouch moved that the Board ballot for a German physician for the east side of the river. Adopted.

1ST BALLOT.

Dr. Louis Weigel.....	9
Julius Kempe.....	6
J. J. A. Burke.....	1

Dr. Louis Weigel having received the requisite number of votes was declared duly elected City Physician for the east side.

Ald. Vay presented a petition from tax payers on the west side of the river recommending the appointment of Dr. J. W. Southworth as City Physician.

Ald. Warren moved that each Alderman cast a ballot with two names written on for City Physician. Lost.

2D BALLOT.

Dr. J. J. A. Burke.....	4
.. A. S. Rockwell.....	2
.. Geo. D. Benford.....	3
.. Southwork.....	4
.. Torray.....	2
.. Whitcomb.....	1

Ald. Warren moved that each Alderman cast a ballot with two names written on for City Physicians.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Wesbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman—12.

Nays—Ald. Otis, Weaver, Knobles, Hart—4.

THIRD BALLOT.

Dr. Burke.....	9
.. Rockwell.....	7
.. Southworth.....	6
.. Benford.....	5
.. Whitecomb.....	3
.. Torrey.....	2
	32

Dr. J. J. A. Burke having received the requisite number of votes was declared duly elected to the office of City Physician for the east side.

FOURTH BALLOT.

Dr. Benford.....	8
.. Rockwell.....	8

FIFTH BALLOT.

Dr. Rockwell.....	11
.. Benford.....	4
.. Southworth.....	1

Dr. Rockwell having received the requisite number of votes was declared duly elected to the office of City Physician for the east side of the river.

Ald. Hart moved that a special committee of three be appointed on printing. Adopted.

The President announced as the special committee on printing Ald. Hart, FitzSimons and Otis.

Ald. Otis moved that a committee of five, of which the President of the Board shall be Chair-

man, be appointed to consult with the Citizens Committee on Railroad Ordinances. Adopted. Committee—The President, Ald. Otis, FitzSimons, Warren and Weaver.

The President announced the following standing committees:

STANDING COMMITTEES.

Finance—Ald. FitzSimons, Warren, Otis, Contingent—Ald. Chambers, Hebing, Crouch. Public Improvements—Ald. Wickens, Chambers, Warren.

Sewers—Ald. Edelman, Vay, Knobles. Opening and Alteration of Streets, Bridges, etc.—Ald. Knobles, Hart, Weaver.

Law—Ald. Hebing, Edelman, Westbury. Charter Amendments, Ordinances and Rules—Ald. Westbury, FitzSimons, Tracy.

Police, Excise and Markets—Ald. Hart, Mandeville, Wickens.

Poor—Ald. Crouch, Tracy, Weaver. Wooden Buildings—Ald. Vay, Westbury, Knobles.

Maps and Surveys—Ald. Knobles, Mandeville, Vay.

Schools and Public Health—Ald. Otis, FitzSimons, Wickens.

Mt. Hope and Public Parks—Ald. Edelman, Crouch, Tracy.

City Property—Ald. Mandeville, Hebing, Hart.

Water Works—Ald. Weaver, Chambers, Crouch.

Public Lamps—Ald. Tracy, Edelman, Otis. Assessments—Ald. Warren, Knobles, Chambers.

The Board then adjourned.

EDWARD ANGEVINE,
City Clerk.

In Common Council, April 29, 1879.

ADJOURNED REGULAR MEETING.

Ald. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bills of

National Gas Co., repairing lamps.....	\$ 18 00
Roch. Gas Co, gas, &c.....	5,751 27
Citizens' Gas Co., gas and care of lamps.....	6,244 64
James S. King, repairing lamps.....	50 00

Referred to Lamp Committee.

By Ald. Westbury—Petition of E. E. Marsh for permission to erect a wood building. Permission granted. Also petition of Gertrude Hax for the same. Permission granted. Also petition of Thomas Chester to erect a wood building. Referred to Wood Building Committee and Fire Marshal with power to act.

By Ald. Hebing—Petition of A. Langie for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act.

Ald. Weaver presented a remonstrance against the same.

By Ald. Hebing—Petition for water mains in Hudson street. Referred to Committee on Water Works and Executive Board.

By Ald. Hebing—Bills of

Boeh. Print. Co., printing.....	\$ 351 50
Leary & Co., refreshments and services.....	115 00
Express Printing Co., printing blanks.....	161 25
C. H. Stump, printing.....	2 00
E. Angevine, expenditures.....	25 00
Wm. I. Hanford, serving notices.....	8 25
O. H. Peacock, disbursement.....	18 18
Joseph Corbin, serving notices.....	9 48
E. A. Frost, County Clerk.....	36 36
J. B. Perkins, services.....	227 41

Referred to Contingent Expense Committee.

By Ald. Crouch—Petition of Sarah Cummings to erect a wood building. Permission granted.

By Ald. Crouch—Bills of	
Evening Express Printing Co., printing.....	\$ 6 25
Roch. Printing Co., daily paper.....	9 00
Henry Michaels, services.....	125 00

Referred to Poor Committee.

By Ald. Mandeville—

ROCHESTER, April 28, 1879.

MR. ANGEVINE—Dear Sir:—As we understand that Goodman street is to be closed, we hereby give notice that if said street will be closed by the Common Council, we shall claim damages from the city.

GEORGE KLEM,
HENRY KLEM,
HENRY SCHANTZ,

Executors for the B. Klem estate.

Referred to the Committee on Opening and Alteration of Streets.

By Ald. Mandeville—Bills of

Wm. Carroll, repairs in Treasurer's office.....	\$ 4 00
Yevl & Bartholomew, repairing furniture.....	5 00
E. M. Doane, table.....	1 50
J. Talman, soap.....	4 00
Geo. Engert & Co., coal for City Hall.....	25 50

Referred to City Property Committee.

By Ald. Mandeville—Communication from City Attorney on salaries:

ROCHESTER, N. Y., April 28th, 1879.

To Ald. Mandeville:

In answer to the questions put to me by yourself and others whether the officers elected by the electors of this city and appointed by the Common Council in pursuance of the provisions of the city charter, whose salaries were fixed by the Common Council of last year, are entitled to receive the same compensation for services rendered after the first Monday of April in the present year, down to the time when the salaries shall again be determined by the present Common Council for the ensuing year. Would state that on examining the city charter I find that Sec. 21 of the charter provides as follows:

"All officers elected by the electors of said city according to the provisions of this act, as herein provided, shall enter upon their respective offices on the first Monday of April next following such election, unless otherwise herein provided. And the period of a year, as applied in this act to the terms of office, and the salaries thereof, shall extend from the first Monday in April in one year to the first Monday in April in the succeeding year, in cases where the term of office commences on the first Monday of April."

The officers elected by the electors whose terms of office commence on the first Monday of April according to the provisions of the charter are the Mayor, City Treasurer and Police Justice.

It is very clear to my mind that the salaries of the officers above named when fixed by the Common Council in any one year embraces the time commencing on the first Monday of April in that year to the first Monday of April in the succeeding year.

I find no provision in the city charter fixing the commencement of the term of any officer appointed by the Common Council on the first Monday of April. Section 45 of the city charter provides as follows: "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," &c., "which salary shall be paid from the City Treasurer and shall not be diminished during the then ensuing year," &c. I am therefore of the opinion that the officers appointed by the Common Council whose salaries are annually determined by it are entitled to receive the same pay as fixed or determined by the Common Council in any one year until the time when it shall be altered or changed by another Common Council in the succeeding year.

Very respectfully your obdt servant,

A. G. WHEELER, City Attorney.

Ordered received, filed and published.

By Ald. Vay—Petition of Alexina Fullam, for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal, with power to act.

Also, petition of John R. Barret, to erect a wood building. Same reference.

Also, petition of Israel Moser, to erect a wood building. Permission granted.

By Ald. Wickens—Petition for water mains on Van street. Referred to the Committee on Water Works and the Executive Board.

By Ald. Edelman—Petition for water mains on Oakman street. Referred to the Committee on Water Works and the Executive Board.

By Ald. Weaver—Petition of A. C. Burrows for permission to erect a wood building. Permission granted.

By Ald. Hart—Petition of M. A. Johnson, to erect a wood building. Referred to the Wood Building Committee and Fire Marshal, with power to act.

By Ald. Hart—Resolved, That the Executive Board be requested to place a fire alarm box on the corner of University Avenue and the New York Central Railroad.

Referred to the Executive Board.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy from the Lamp Committee, Ald. Hebing from the Contingent Expense Committee, Ald. Crouch from the Poor Committee, Ald. Mandeville from the City Property Committee, reported favorably on the various bills referred to their respective committees and referred them to the Finance Committee for payment.

Ald. Crouch from the Poor Committee, reported on the bill of E. H. Davis and asked for further time. Granted.

By Ald. Hebing—

To the Common Council:

Your Law Committee, to whom was referred the communication of the City Treasurer, relating to furnishing the County Clerk with a list of lands sold for taxes to be recorded, would report: That we fully agree with the views expressed by J. B. Perkins, Esq., late City Attorney, in his communication to the Common Council, dated Feb. 28, 1878, in reference thereto. He there states "that the record of tax sales is utterly worthless; it gives no notice to any one and does not appear on searches." The expense to the city for recording these lists is from one to two

hundred dollars yearly, which is so much money wasted and thrown away for the benefit of no one except the County Clerk. Your Committee therefore recommend that the Treasurer be instructed to have no more lists recorded.

All of which is respectfully submitted.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Dated April 20, 1879.

Ordered received, filed and published.

By Ald. Hebing—

To the Common Council of the City of Rochester :

GENTLEMEN: Your Law Committee, to whom was referred the communication of W. R. Seward, Esq., requesting the city of Rochester to surrender to the Bank of Monroe certain indemnity bonds given by said Bank to the city, would report that last year the Commercial Bank of Rochester made a like request to have similar bonds given for the same purpose surrendered to it and the then Common Council declined to accede to such request. Your committee can see no reason why the present Common Council should adopt any different action in the present case than the last Common Council did in the case of the Commercial Bank, and therefore recommend that the request of Mr. Seward be not complied with.

All of which is respectfully submitted.

Dated April 20, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Ordered received, filed and published.

By Ald. Hebing—Resolved, That the City Treasurer be and he is hereby instructed not to file any list of lands sold for taxes with the County Clerk. Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester :

GENTLEMEN: Your Law Committee, to whom was referred the resolution offered by Alderman Warren at the last meeting of this Board, requesting our Senator and Member of Assembly to procure an amendment to the Municipal Court Act providing for the election and appointment of a third Judge of said Court, would report that on inquiring of the present Judges of said Court we found as a matter of fact that the present judicial force of said Court was fully adequate to dispatch all the business brought before it promptly and without delay on its part.

Your committee can, therefore, see no immediate necessity of providing for the election or appointment of an additional Judge for said Court.

All of which is respectfully submitted.

Dated April 20, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Ordered received, filed and published.

By Ald. Hebing—

To the Common Council of the City of Rochester :

GENTLEMEN—Your Law Committee would report upon the bill of Mr. J. H. Shedd, re-

ferred to them at your meeting of April 1st, 1879, that chapter 324 of the laws of 1850, as embodied in the City Charter, gives boards of health in every part of the State authority as follows: Section 3 paragraph 3 power to make "such regulations as they shall think necessary and proper for the preservation of the public health"; while paragraph 8 of same section gives authority "to employ all such persons as shall be necessary to enable them to carry into effect the regulations they shall have adopted and published and the powers vested in them by this act and to fix their compensation." This bill appears to have been rendered in accordance with an agreement with the Board of Health, and must be paid. All of which is respectfully submitted.

Dated April 20th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Ordered received, filed and published.

By Ald. Weaver—Resolved, That the Executive Board be and it is hereby directed to lay a water pipe main in White street from Lake avenue to Frank street in advance of the construction of the improvement now in progress on said street, under an ordinance passed by this Board; and the cost of the same shall be paid from Water Pipe Extension Fund, when there are funds applicable. Adopted.

REPORTS OF SELECT COMMITTEES.

By Ald. Hart—

To the Honorable the Common Council :

GENTLEMEN.—Your special committee on official printing beg leave to report that they have received proposals from the publishers of daily newspapers as follows:

From the Union and Advertiser printing company, to publish the official proceedings of all the departments for one year, and to furnish 150 bound copies of the Common Council proceedings for \$3,000.

From the Democrat and Chronicle to publish the proceedings of all departments for one year for \$3,000.

From the Evening Express Company to publish the proceedings of all departments, including 150 bound copies of the proceedings, for \$2,200.

Your Committee, owing to the overwhelming demand made by the taxpayers for retrenchment and economy, feel constrained to favor the employment of but two papers, and would therefore offer the following:

Resolved, That the Mayor be and he is hereby authorized and requested to contract with the Evening Express Printing Company to publish the official proceedings of the Common Council, Executive Board, Water Works and Fire Department Board, and the official notices from city offices, together with 150 bound copies of the Common Council proceedings, including the Clerk's index, for the sum of \$2,500, and with the UNION AND ADVERTISER Company to print the official proceedings of all departments, the same as last year, for \$2,200.

J. J. HART,
M. H. FITZ SIMONS,
L. M. OTIS,
Committee.

The following was also presented with the report:

J. J. Hart, Chairman Printing Committee of the Common Council.

DEAR SIR: In conformity with the request of your committee, the Rochester Printing Company yesterday placed in your hands a bid for the public printing for the ensuing year. This was done in entire good faith, upon the assumption that we were to be placed on an equality with the other daily journals of the city in an honorable competition. We have since been informed, upon trustworthy authority, that all the papers have not been subjected to the same rule as ourselves—others not having been required to state their price of publication, and the committee, as we are also informed, having determined to report compensation for publication, without reference to and in the absence of authorized bids. We, therefore, respectfully withdraw our offer, upon the ground that competition has been foreclosed by the action of the committee. Very respectfully,
ROCHESTER PRINTING COMPANY.

Ald. Hart moved that consideration of the matter be postponed until the next meeting.

The City Attorney was heard in the matter.

Ald. FitzSimons moved as an amendment that the report and resolution be referred back to the Committee, to report again at this meeting.

Ald. Westbury moved as a substitute that the report be referred back to the Committee, to report at the next meeting.

Lost by the following vote:

Ayes—Ald. FitzSimons, Westbury, Chace, Mandeville, Wickens, Hart—6.

Nays—Ald. Tracy, Otis, Warren, Hebing, Crouch, Vay, Edelman, Weaver, Knobles—9.

Ald. FitzSimons's motion was lost by the following vote:

Ayes—Ald. FitzSimons, Chace, Vay, Hart—4.

Nays—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Mandeville, Wickens, Edelman, Weaver, Knobles—11.

Ald. Hart called for a division of the question.

Ald. FitzSimons moved as an amendment that the Union and Advertiser be paid \$3,000.

Ald. Otis raised the point of order that the first resolution must be first considered.

Ald. Hart moved that the amount for the Union be \$2,500.

Ald. Westbury moved as a substitute that the amount be \$2,200.

Lost by the following vote:

Ayes—Ald. Westbury, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles—7.

Nays—Ald. Tracy, FitzSimons, Otis, Warren, Crouch, Chace, Edelman, Hart—8.

Ald. FitzSimons asked that the report be returned to the committee for correction.

Ald. Westbury objected.

The motion of Ald. FitzSimons was adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Warren, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Hart—10.

Nays—Ald. Westbury, Otis, Hebing, Weaver, Knobles—5.

The report was then offered in the following form:

To the Hon. Common Council:

Your Special Committee on official printing

beg leave to report that they have received proposals from the publishers of daily newspapers as follows: From the UNION AND ADVERTISER Printing Company to publish the official proceedings of all the departments for one year and to furnish 150 bound copies of the Common Council proceedings for \$3,000.

From the Democrat and Chronicle to publish the proceedings of all departments for one year \$3,000.

From the Evening Express Company to publish the proceedings of all departments, including 150 bound copies of the proceedings for \$2,200.

Your Committee, owing to the overwhelming demand made by the tax payers for retrenchment and economy, feel constrained to favor the employment of but two papers and would therefore offer the following:

Resolved, That the Mayor be and he is hereby authorized and requested to contract with the UNION AND ADVERTISER Company to publish the official proceedings of the Common Council, Executive Board, Water Works and Fire Department boards, and the official notices from city officers, together with 150 bound copies of the Common Council proceedings, including the Clerk's Index, and that it shall be the official paper, for the sum of \$3,000.

With the Evening Express Printing Company to print the official proceedings of all departments, the same as last year, and including 150 bound copies of the proceedings of the Executive Board, for \$2,200.

Ald. Hart moved as an amendment that the sum for the Union be \$2,500.

Ald. Westbury moved as an amendment that the sum be \$2,200.

The resolution from the Printing Committee to make the sum for the Union and Advertiser \$3,000 was lost by the following vote:

Aye—Ald. Tracy—1.

Nays—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

The motion of Ald. Hart was lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Warren, Crouch, Chace, Edelman, Hart—7.

Nays—Ald. Westbury, Otis, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles—8.

The motion of Ald. Westbury was adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—11.

Nays—Ald. Tracy, Crouch, Chace, Hart—4.

The second resolution, viz., to pay the Express \$2,200 was adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—11.

Nays—Ald. Tracy, Crouch, Chace, Hart—4.

By Ald. Hebing—Resolved, That His Honor the Mayor is hereby instructed to contract with the two German papers (Rochester Volksblatt and Rochester Beobachter) for the sum of seven hundred dollars each, on the same conditions as last year.

Adopted by the following vote:

Ayes—Ald. Tracy, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. FitzSimons, Warren, Otis—3.

Ald. Knobles moved that the Star be added as one of the papers at the same sum as last year.

Ald. Mandeville moved that the whole matter lie on the table.

Lost by the following vote:

Ayes—Ald. Hebing, Crouch, Mandeville, Wickens, Edelman—5.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Chace, Vay, Edelman, Weaver, Knobles, Hart—10.

Ald. Westbury moved that the sum be \$300. The motion of Ald Hart to make the sum \$500 was lost by the following vote:

Ayes.—Ald. Tracy, Warrren, Hebing, Chace, Weaver, Knobles, Hart—7.

Nays.—Ald. FitzSimons, Westbury, Otis, Crouch, Mandeville, Vay, Wickens, Edelman—8.

Ald. Westbury's motion was then adopted by the following vote:

Ayes.—Ald. Tracy, Westbury, Warren, Chace, Vay, Weaver, Knobles, Hart—8.

Nays.—Ald. FitzSimons, Otis, Hebing, Crouch, Mandeville, Wickens, Edelman—7.

Ald. Mandeville from the special committee on salaries, presented the following and moved its adoption:

To the Honorable the Common Council:

Resolved, That the salaries of the several city officers and employees be fixed for the ensuing year, commencing May 1st, 1879, as herewith stated:

Mayor.....	\$2,000
Treasurer.....	3,400
Treasurer, for clerk hire of all description.....	3,000
City Attorney.....	1,800
City Clerk.....	1,650
Assistant clerk.....	700
City Surveyor.....	1,800
City Surveyor, clerk hire.....	2,280
Assessors (each), including clerk hire.....	1,800
Excise Commissioners (each).....	500
Overseer of Poor.....	1,400
Overseer of Poor, clerk hire.....	2,000
Police Justice.....	2,000
Health Officer.....	500
City Physicians (each).....	500
Messenger.....	800
Engineer City Hall.....	660
Watchman City Hall.....	660
Janitor Front Street Building.....	450

W. MANDEVILLE,
HENRY HEBING,
C. T. CROUCH,
Committee.

Ald. FitzSimons moved that the individual salaries be taken up separately. Adopted.

The City Treasurer was heard in the matter of his salary and clerk hire.

Ald. Warren moved to amend to make the Treasurer's salary \$3,600.

Lost by the following vote:

Ayes.—Ald. Warren—1.

Nays.—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

The sum of \$3,400 was then fixed as the Treasurer's salary.

Ald. Tracy moved that the amount for clerk hire in the Treasurer's office be fixed at \$3,500.

Lost by the following vote:

Ayes.—Alds. Tracy, Warren, Crouch, Chace, Edelman—5.

Nays.—Alds. FitzSimons, Westbury, Otis, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—10.

The amount for clerk hire was then fixed at \$3,000.

The salary of the City Attorney was fixed at \$1,800.

Ald. Warren moved that the salary of the City Clerk be fixed at \$1,500.

The City Attorney was heard in the matter. Also the City Clerk.

The report of the committee fixing the salary of the City Clerk at \$1,650, was adopted by the following vote:

Ayes.—Alds. Tracy, Otis, Hebing, Crouch, Chace, Mandeville, Vay, Edelman, Hart—9.

Nays.—Alds. FitzSimons, Westbury, Warren, Wickens, Weaver, Knobles—6.

The salary of the City Surveyor was fixed at \$1,800.

The balance of the report was then adopted, as published above.

By the Clerk—

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

MAYOR'S OFFICE,

ROCHESTER, N. Y., April 26, 1879. }

Edward Angevine, Esq., City Clerk:

In accordance with the provisions of an act of the Legislature, entitled "An act regulating the sale of intoxicating liquors, Chap. 175, of the laws of 1870, passed April 11th in that year, I do hereby nominate and appoint Vincent M. Smith, Edward E. Bausch and Porter W. Taylor to be Commissioners of Excise for the City of Rochester, for the term of three years commencing on the first day of May next.

CORNELIUR R. PARSONS, Mayor.

Ordered received, filed and published.

MAYOR'S OFFICE,

ROCHESTER, N. Y., April 25, 1879. }

Edward Angevine, Esq., City Clerk:

Under and by the authority conferred upon me, by Act Chapter 190 of the laws of the State of New York, passed April 17, 1879, I hereby designate Chauncey C. Woodworth and Valentine Fleckenstein, now and heretofore members of the Executive Board of the City of Rochester, to constitute and act as a "Water Works and Fire Board for said city, on and after the first Monday in May, 1879, until the expiration of the term of office for which they were respectively appointed and elected.

CORNELIUS R. PARSONS,

Mayor.

Ordered received, filed and published.

ROCHESTER, N. Y., April 29, 1879.

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

GENTLEMEN—There has been between thirty and forty prosecutions commenced in the Police Court against employees of the N. Y. C. & H. R. R. Co. for alleged violations of the Ordinance of the City relating to railroads. One case has been tried in said court before a jury which resulted in a verdict and judgment for the City for one penalty of \$50.00. The attorney for the railroad company has obtained a writ of certiorari from the Supreme Court removing the case and all proceedings therein to the General Term of that court where all of the questions of law raised and decided in the court below will be reviewed and decided in the court above. This case will be a test one for all the others, as all the questions of law that could

possibly be raised in all of the other cases were raised in this.

One of the most important questions to be decided in this case is, whether the Police Justice has the power under the City Charter to summon a jury and try a cause before it for the violation of a city ordinance. This question has never been raised before to my knowledge and I must say it is one not free from doubt. I am informed by the attorney for the railroad company that the defendant in every case will demand a trial by jury and in all cases where the city succeeds, he will immediately remove them by writ of certiorari to the Supreme Court where the present case is now pending. Should the General Term decide that the Police Justice has no jurisdiction to try a cause for the violation of an ordinance by a jury then the city must necessarily be beaten in all of these cases prosecuted by it before that court, which would subject it to the payment of a very large amount of costs.

These cases can be prosecuted in the Municipal Court, which will do away with the question relating to the power of the Police Justice to try them before a jury, but that will necessarily cause a good deal of delay in bringing them to trial.

I submit these facts to your Honorable Board for your direction in the matter. I am willing to adopt any course you may deem advisable and it is for you to decide whether the prosecution of these several cases shall be continued in the Police Court, or transferred to the Municipal Court, or whether you will suspend the further prosecution of them until the hearing and decision of the case now pending before the General Term of the Supreme Court.

I am, very respectfully, your obedient servant,
A. G. WHEELER,
City Attorney.

Ald. Crouch moved that action in enforcing the ordinances be postponed until the case is determined in the General Term.

Ald. Westbury moved that the motion lie on the table. Adopted.

Ald. Vay asked that he be recorded as voting in the affirmative on fixing the salary of the City Clerk at \$1,650. So ordered.

Ald. Warren moved to suspend the rule to adjourn at eleven o'clock. Lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Chace, Weaver—7.

Nays—Ald. Hebing, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—7.

By Ald. Vay—Resolved, That M. Greenagel, Jeremiah Twaige, Henry Godwin, Jacob Weber, W. S. Hall, James Doyle, Alphonus Klem, M. Everden, Chas. P. Bromley, Allison D. Wright, F. W. Stillwell, John Hunt have permission to erect wood buildings in accordance their several petitions under the directions of the Wood Building Committee and Fire Marshal. Adopted.

By the Clerk—

CITY CLERK'S OFFICE,
ROCHESTER, April 29, 1879. }

To the Hon. Common Council :

In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office.
EDWARD ANGEVINE, City Clerk.

COMMISSIONERS OF WATER WORKS AND FIRE BOARD.

C. C. Woodworth, Valentine Fleckenstein.

EXCISE COMMISSIONERS.

Edward E. Bausch, V. M. Smith,
Porter W. Taylor.

CITY PHYSICIANS.

J. J. A. Burke, Chas. E. McKelvey,
T. A. O'Hare, A. S. Rockwell,
Louis A. Weigel.

COMMISSIONERS OF DEEDS.

D. W. Dunham, John Newhirter,
J. A. Wile, Omar Binney,
C. G. Hapgood, J. E. Roe,
Chas. D. Evans.

Ordered received, filed and published.
By the Clerk—

CHAP. 190.

AN ACT to amend chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one, and to amend and consolidate the several acts in relation to the charter of the city of Rochester, and the various acts amendatory thereof or relating to the city of Rochester.

Passed April 17, 1879; three-fifths being present.

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

SECTION 1. Section one hundred and fifty-five of chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one as heretofore amended, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," passed April eighth, eighteen hundred and sixty-one, as heretofore amended, is hereby amended so as to read as follows:

§ 155. There shall be an executive board of the said city of Rochester which shall consist of two members, who shall be electors and freeholders of said city, chosen by the electors of said city in the same manner as other city officers at the charter election of said city, one at each year's charter election except at the charter election of the year eighteen hundred and eighty-one, to hold office for the term of two years, commencing on the first Monday in May next ensuing upon such election, provided that nothing herein contained shall affect the term of office or impair the powers, privileges, duties or obligations of the members of said board now in office during the periods for which they were severally appointed or elected except as hereinafter provided. The mayor of said city is hereby prohibited from making any appointment to the executive board from and after the passage of this act, unless to fill a vacancy after said board shall be reduced to two members by the expiration of the terms of office of the present members. Said executive board shall have sole power to let all contracts to be made by said city in pursuance of any ordinance, except such as are by law directed to be otherwise made, and shall superintend the execution of the same, and shall have superintendence and control of all work or improvements ordered by the common council and of paying for the same, except such as relate to the water works and fire department. Said board shall have control of the construction, improvement, repair and cleaning of streets, alleys, avenues, sewers and bridges, except bridges owned by the state of New York, and shall have control of the expenditure of the funds thereof; but whenever the expense of any such work or improvement shall be required to be defrayed by a local assessment, the common council of said city shall alone have power to pass any ordinance therefor, subject to the veto of the mayor as hereinbefore provided, and in the manner and subject to the restrictions established by the charter of said city as hereby amended. Said board may employ such assistants and establish such by-laws for its meetings and proceedings as it may see fit. Said board may designate one of its members as its clerk, but who shall receive no additional compensation for this service. The members of said board shall give their entire time to the duties of the office. The salary of each member of the executive board shall be two thousand dollars per year, and shall be paid by the city treasurer in the same manner as the salaries of officers elected by the common council. The mayor of the city of Rochester shall during the month of April, in the year eighteen hundred and seventy-nine, and after the tenth day thereof, designate two members of the executive board to constitute a "water works and fire board," and that board shall thereafter consist of two members and shall, upon the said first Monday in May, eighteen hundred and seventy-nine,

assume and thereafter have exclusive control of the water works of said city and of the construction of all extensions, and additions, improvements and repairs of same, and of furnishing the water to citizens, and the care and repair of said works, and to the end shall have the powers granted to the board of water commissioners of said city by section three of chapter seven hundred and fifty-four of the laws of eighteen hundred and seventy-three, and they make such rules and regulations and establish such rates for use of water as they may deem proper. All moneys received from water rates or the use of water, shall at the close of each day be paid to the city treasurer, and after paying the expenses of the charge, care, maintenance and repairs of such works, shall be applied solely to the payment of the principal and interest of the water works bonds of said city. No moneys shall be paid out of said receipts save on a vote of a majority of such water works and fire board, and on an order drawn by its clerk and approved by the mayor said water works and fire board shall have control of the fire department of said city and of the care and expense thereof, and is hereby vested with the powers heretofore vested in the common council of said city by sections two hundred and nineteen, two hundred and twenty-two, and two hundred and twenty-three of this act, except that no fire engine shall be purchased or sold, and no engine house built except by resolution of the common council. And none of the members of the water works and fire board shall after the said first Monday in May, eighteen hundred and seventy-nine, exercise any of the powers pertaining to or vested in the executive board by this act; and the two members of the executive board, who by the provisions of this act are designated to serve on the water works and fire board shall serve as such only until the expiration of the term for which they were originally elected or appointed members of the executive board, and in the month of April, preceding the close of their terms of office, and after the tenth day thereof, the mayor shall appoint, except as herein provided, one elector and freeholder of said city to serve on said board for the term of one year, and if they both expire at the same time, then he shall also appoint one to serve for the term of two years and thereafter shall appoint one member in the month of April, and after the tenth day thereof in each year, to hold office for the term of two years. The salary of the members of said board shall be five hundred dollars per year, with the exception of those members who are transferred from the executive board, as aforesaid, which members shall devote their whole time to the duties of their office, and shall receive at the rate of two thousand dollars per year, but in case from any cause, a vacancy should occur in the place of either of the members so transferred from the executive board, the mayor may appoint to fill such vacancy, and to include the next succeeding term, and the salary therefor shall be at the rate of five hundred dollars per year. The members of the water works and fire board are required to devote only so much time to the duties of their office as may be required to properly perform the same, except as hereinbefore provided. The water works and fire board may employ such assistants and establish such by-laws for its meetings and proceedings as it may seem fit. Any vacancy in the water works and fire board and in the executive board may be filled by the mayor for the unexpired term of the member causing the vacancy, except as hereinbefore provided. Each member of the water works and fire board and of the executive board shall take the oath of office required of other city officers within five days after being notified of his election or appointment, and a failure to do so shall be deemed a refusal to serve. Each of said members shall give a bond in such amount, and with such sureties, as the mayor may approve, conditioned for the faithful performance of his duties. Any of such members of either of said boards may be removed by the common council for official misconduct, by a vote of two-thirds of all the members elected to the said council, but notice in writing shall be given of the charges made, and he shall have an opportunity of being heard in his defense. The water works and fire board and the executive board shall make monthly reports to the common council of their expenditures and the condition of the funds under their control. They shall keep a record of their proceedings, and all receipts and expenditures, which shall be published in at least one daily paper in said city. On or before the first day of June in each year, each of the boards shall present to the common council a statement of the moneys needed by them respectively for the fiscal year, specifying the purposes for which it shall be used. It shall be the duty of the common council to raise the sums so reported, in the same manner as other general city taxes. All moneys paid under the order of said boards shall be paid by writ of an order on the treasurer of the city, drawn by the clerks of said boards respectively, under a resolution which must receive a vote of a majority

of all the members of the particular board drawing the order.

§2. This act shall take effect immediately.

STATE OF NEW YORK,
Office of the Secretary of State, } ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom, and of the whole of said original law.

Given under my hand and seal of office of the Secretary of State, at the city of Albany, this nineteenth day of April, in the year one thousand eight hundred and seventy-nine.

GEO. MOSS,
Deputy Secretary of State.

Ald. Tracy moved to suspend the rule to adjourn at eleven o'clock for fifteen minutes. Adopted.

By Ald. FitzSimons—Resolved, That the Executive Board be and they are hereby authorized to sell the old Allen street bridge for the best price they can obtain; not less, however, than two hundred and fifty dollars. Adopted.

By Ald. Tracy—Whereas, On the 10th day of March, 1879, John Doyle was granted a market license to sell fresh meat at 70 Front street, for the sum of twenty-five dollars which he paid into the Treasury, and on account of sickness had to give up his business after using the license about two weeks; therefore

Resolved, That the Clerk draw an order on the Treasurer for twenty dollars in favor of John Doyle, and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobies and Hart—15.

By Ald. Crouch—Resolved, As the sense of this Common Council that it is inexpedient, improper, unwise and unjust to change the boundary line of the city, as proposed by the pending bill or otherwise, and that the Legislature be and they are hereby requested to reject the bill introduced by Mr. Beckwith for such purpose.

Resolved, That the Clerk transmit this resolution by telegram to Hon. Chas. S. Baker.

Ald. Hart raised a point of order that it was the same resolution offered by him at the last meeting of this Board and indefinitely postponed.

The President decided the point well taken.

By Ald. FitzSimons—Resolved, That the city's interest in the following tax sales be assigned to Lucina Chapin upon her paying the amount of the taxes, interest and expenses to the date of the assignment:

Seventh Ward, Julia C. Jordan, lots No. 70, s. pt., and 71 of Sec. D., Manhattan tract, on the west side of Union street. Adopted.

By Ald. Edleman—Resolved, That the Park Committee be and they are hereby authorized to expend a sum not exceeding one hundred and twenty-five dollars in setting trees and otherwise improving Jones Square, in accordance with the request of taxpayers residing in that locality. Adopted.

By Ald. Otis—Resolved, That the City Clerk be authorized to continue in the Rochester Directory the publication of ordinances relating to nuisances, hackney coaches and carriages the location of the boxes of the fire alarm telegraph; also; the boundaries of the several wards and election districts, at an expense not exceeding one hundred dollars (\$100), the same to be charged to the contingent fund. Adopted.

By Ald. Warren—Resolutions regarding tax liens.

Ald. FitzSimons moved that the resolutions lie on the table until the next meeting. Adopted.

Ald. Warren moved that the motion be reconsidered. Lost.

By Ald. FitzSimons—Resolved, That the Mayor, on behalf of the city, enter into a contract with the Traders' Bank, Flour City Bank and the Commercial Bank each for one-third of the city's bank account for the new fiscal year—the contracts to be drawn in the same form as last year's contract with the Traders' and Flour City Banks.

Ald. Otis moved that "Commercial Bank" be stricken from the resolution.

Adopted by the following vote:
Ayes—Ald. Tracy, Otis, Warren, Hebing, Crouch, Chace, Edelman, Weaver, Hart—9.
Nays—Ald. FitzSimons, Westbury, Mandeville, Vay, Wickens, Knobles—6.

Ald. Weaver moved that the "City Bank" be substituted.

Ald. Westbury moved that the whole matter lie on the table for one week.

Lost by the following vote:
Ayes—Ald. FitzSimons, Westbury, Hebing, Vay, Wickens, Edelman, Knobles—7.
Nays—Ald. Tracy, Otis, Warren, Crouch, Chace, Mandeville, Weaver, Hart—8.

Ald. Crouch moved to suspend the rule to adjourn, fifteen minutes longer.

Lost by the following vote:
Ayes—Ald. Tracy, Otis, Warren, Crouch, Chace, Hart—6.

Nays—Ald. FitzSimons, Westbury, Hebing, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—9.

The Board then stood adjourned.
EDWARD ANGEVIN, City Clerk.

**In Common Council May 6th, 1879—
Regular Meeting.**

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the last meeting were approved as published in book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Otis—
ROCHESTER, May 6, 1879.

To the Honorable the Common Council:

SIRS: Your petitioner being a resident of the Fourth ward, corner of South Clinton and East Main, asks your honorable body to cancel the tax levied on him for sprinkling South Clinton street, as he has already paid the tax by paying East Main street sprinkling, which includes one hundred feet on South Clinton, as your honorable body will see by examining the contract for the same for the year 1878. And oblige
S SEAMAN.

Referred to the Assessment Committee.
By Ald. Crouch—Bills of

F. Kesel, bread.....	\$34 90
George Elbs,	72 54
A. Refner,	41 40
M. Yawman,	60 85
Home of Industry, ..	60 65
John Bickel,	197 45
L. Klein,	147 55

D. E. Fichtner, ..	83 90
Johanna Yawman, ..	58 25
Buckley & Abbs, ..	26 45
C. J. Deland,	59 85
George Bastian, ..	28 70
George Oppel,	52 55
S. Wheeler, rent.....	9 00
Wietzel & Niewoerde, shoes.....	34 00
John Oetzel,	17 25
Leat & Wetzell, ..	23 00
George M. Glassir, ..	68 50
John Hahn, meat.....	75 00
L. A. Wheeler,	100 00
Zegewitz & Fisher, ..	100 00
Williamson & Higbie, stationery.....	12 85
Joseph Schutte, disbursements.....	59 55
John Hahn, flour.....	49 30
George L. wauer, beans.....	15 00
J. Schutte,	23 01

Referred to Poor Committee.
Ald. Crouch, from the Poor Committee, asked further time on the bill of E. H. Davis. Granted.

By Ald. Crouch:
To the Honorable Board of Common Council of the City of Rochester:

This petition to your honorable body respectfully shows: That C. Jordan, now deceased, in his lifetime was the owner of a certain lot located on North St Paul street, in the Fifth ward, and is lot No. 4 in the Strong tract, and is assessed "Unknown." That the city taxes assessed on said lot have been paid since 1868, and the amount remaining unpaid (taxes and interest) is about \$86 00. That the value of the lot is not more than the amount of the tax, with interest, and your petitioner verily believes that if said lot was sold at a forced sale it would not bring as much as the tax. That in 1876 C. Jordan died intestate, and your petitioner was duly appointed administrator of his estate. That he was not aware until recently that the taxes were still unpaid. That he is willing to pay \$43 00 if the city will give him a receipt in full, and thus settle the whole tax, so that in the future the city receive the taxes every year, and thereby be the gainer ultimately.

Hoping that your honorable body will examine into this matter and the lot, etc., I remain, yours, respectfully.

JULIUS C. JORDAN.
Referred to the Assessment Committee.
By Ald. Crouch:

OVERSEER OF THE POOR OFFICE, }
ROCHESTER, May 6, 1879. }

To the Honorable the Common Council:
GENTLEMEN: The Overseer of the Poor of the city of Rochester would respectfully report that during the month of April, he has relieved 774 families in the following manner:

Orders on poor store.....	\$2,917 42	
.. coal yard.....	522 00	
.. wood yard.....	12 00	
.. shoe stores.....	207 90	
.. drug sts.....	3 85	
.. for dry goods.....	3 00	
.. for transportation.....	13 42	
.. undertakers.....	190 50	
Total.....	\$3,934 09	
Less towns.....	\$197 00	
Less emigrant.....	12 25	
		209 34

Total to city.....\$3,724 75
All of which is respectfully submitted.

J. SCHUTTE, Overseer of the Poor.
Ordered received, filed and published.

By Ald. Chambers—Bills of
Williamson & Higbie, stationery.....\$31 56
F. X. Maseeth, hack hire..... 3 00
James W. Kelley, sealing weights and measures.. 22 50
A. B. Mann, merchandise for Surveyor..... 5 23
Referred to Contingent Expense Committee.

By Ald. Chambers—Petition of James S. Tripp for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Mandeville—Bills of
 E. B. Booth & Sons, repairing clock, Mayor's office.....\$ 5 00
 E. Emrich, repairing city clocks..... 41 65
 E. Major, repairing boilers..... 21 23
 F. J. Irwin, supplies..... 10 05
 Rochester Gas Co., gas city buildings.....107 00

Referred to City Property Committee.
 By Ald. Mandeville—Resolved, That the use of the Common Council Chamber be granted to the New York State Press Association on the 17th day of June, 1879. Adopted.

By Ald. Wickens—Petition of Henry G. Sauer for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Edelman—Petition for water mains in Henry street. Referred to the Water Works Committee, Water Works and Fire Board.

By Ald. Hart—Resolved, That the City Treasurer be and is hereby authorized to make such provision for the payment of the police for the months of April and May, 1879, as may be for the best interest of the city. Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chase, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. FitzSimons—Petition of Mrs. Parsons for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

REPORTS OF STANDING COMMITTEES.

Ald. Chambers, from the Contingent Expense Committee, Ald. Crouch, from the Poor Committee, Ald. Mandeville, from the City Property Committee, reported favorably on the various bills referred to their respective committees and referred them to the Finance Committee for payment.

By Ald. Knobles—
 To the Honorable the Common Council:

GENTLEMEN: The committee on (opening and alteration of streets) to whom was referred the matter relating to the opening of a street through the Hair property, connecting Goodman street with East Main street, herewith present the following report:

We are of the opinion that an iron bridge constructed over the railroad crossing at East Main street, would be of great benefit to that section of the city, and in order that Goodman street may be equally benefitted with Main street by such improvement, it seems to be necessary that the proposed street should be opened. We therefore report in favor of opening said street, as proposed by the ordinance.

J. W. KNOBLES,
 J. J. HART,
 D. G. WEAVER,
 Committee.

Adopted.

REPORT OF THE POLICE CLERK FOR THE MONTH OF APRIL, 1879.

POLICE COMMISSIONERS' OFFICE, }
 May 6, 1879.

To the Honorable the Common Council:

GENTLEMEN—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of April, 1879, together with the amount collected:

April 1—	Mary Ru seel,	Crime.	Penalty.	Paid.
	—Chas. Robinson,	drunk	\$5	\$5
	2—Mary Briggs,	..	10	..
	—James Howe,	..	5	5
	—Lillie Keller,	..	5	5
	—Daniel McCardle,	..	5	5
	—Ed. McMahon,	vio. ord.	5	5
	—McCarthy,	..	5	5
	—Chas. Watson,	..	5	..
	—Wm. Moore,	false pretences,	cost,	5
	3—James Carroll,	assault,	10	5
	—John Kavanaugh,	drunk,	5	..
	4—Rout. Morphy,	..	5	..
	5—Jacob Alpeter,	..	10	5
	7—Thos. Kiley,	..	5	..
	—Edward Marron,	..	5	..
	—Mary Minto,	..	5	..
	—Mort Ryan,	..	5	..
	—Thos. Wright,	..	10	..
	—Thos. Moran,	..	5	..
	8—Augustus Bedemsky,	assault,	25	25
	9—Levi Ketcum,	drunk,	5	5
	—Peter Herman,	..	5	..
	—Ross O'Hara,	assault,	10	..
	10—John Sherrard,	drunk,	10	..
	—John Mann,	..	10	..
	—Morris Connors,	..	5	..
	11—Emma F. Allen,	vio. ord.	100	..
	—Horace Shaw,	drunk,	10	..
	—Wm. Eroach,	petit larceny,	10	10
	—Norman Dickinson,	drunk,	10	10
	—Henry Fitz Gerald,	..	10	..
	—Chas. H. Bolt,	..	5	5
	—Jacob Wahle,	vio. ord.	5	5
	14—Stephen Brown,	drunk,	6	5
	—William Whitbeck,	..	5	..
	—Chas Smith,	..	5	..
	—Thos. Roland,	..	5	5
	—John Carr,	..	5	..
	—Henry Clime,	..	10	..
	—John Sullivan,	..	5	..
	—John Shay,	..	10	..
	—d. Morrison,	..	10	..
	15—William K. Jones,	..	10	..
	—Anthony Youngman,	assault,	15	..
	—Annie Dixon,	drunk,	10	..
	—Wm. Williams,	..	10	..
	—Geo. Webb,	assault,	10	6
	16—Frank Clark,	vio. ord.	5	5
	17—Jos. D. O'Donnell,	..	5	5
	—Wm. J. Clark,	assault,	25	..
	—Wm. S. Smith,	vio. ord.	50	..
	18—Antoine Mancini,	..	5	..
	19—Mary Ennis,	petit larceny,	25	..
	21—John O'Keefe,	drunk,	5	3
	—Elijah Russell,	..	5	..
	—Chas. W. Parsons,	..	5	4 95
	—Fred. Gist,	..	10	..
	—Mary Hurley,	..	5	..
	—Wm. Hurley,	..	5	..
	—Wm. Coakley,	..	10	4 95
	—John Hart,	..	5	..
	—James Kilroy,	..	5	4
	—Geo. Fisher,	vio. ord.	2	2
	—James M. Cavan,	drunk,	5	..
	—Bernard Kavanagh,	..	5	..
	—Libbie Angle,	v. o. ord.	25	19
	—Mary Brown,	..	100	..
	23—Nicholas Fennell,	drunk,	5	5
	—Geo. C. Andrews,	..	5	..
	—Antone Sherman,	..	5	..
	—John E. Bradley,	..	5	..
	—Robt. Wilson,	..	5	..
	24—Walter Keefe,	..	5	..
	—Jacob wonder,	..	5	5
	—Robt. Montgomery,	..	5	5
	25—Valentine Sander,	..	10	5 5
	—Catharine Burke,	..	5	5
	—John Steekler,	assault	cost	2
	—James O'Connors,	petit larceny	10	..
	—Wm. Ragerty,	..	10	..
	26—Patk. Shaman,	drunk	5	..
	—William Cain,	..	5	5
	—Bridget Joyce,	..	5	..
	—Patk McDonough,	..	10	..
	28—Thos. Givens,	..	5	5
	—Thos. Cassidy,	..	5	..
	—Sarah Cassidy,	..	5	..
	—Ann Plunket,	..	5	..
	—Patk. Dorsey,	..	5	5
	—John Lacey,	..	10	10
	—Wm. Sullivan,	..	10	10
	—Henry Lester,	..	10	10
	—Wm. Descal,	..	5	5
	29—James Kilroy,	..	5	..
	—Maggie Connors,	..	5	..
	—Benj. Delby,	..	10	..
	—Geo. Hawthorn,	petit larceny	25	..
	—Abraham Lincoln,	drunk	10	..
	—Peter Garland,	..	5	2 50

John Minges, assault	1	1
30-Jennie Ferrary, drunk	10	10
Emma Soddard, ..	10	5
Ann Moore, ..	10	
Thos. Duffy, ..	10	
S. Thos. Hanes, ..	5	
Thos. Hennessy, assault	cost	2
Fred. Battersnall, ..	20	5
John Kelly, ..	5	

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of April, 1879, is true. B FRANK ENOS, Clerk.
Sworn to before me this 6th day of May, 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.

FINANCE BUDGET.

ROCHESTER, N. Y., May 6, 1879.

By Ald. FitzSimons-Resolved, That the Treasurer pay as follows, when there are funds applicable.

CONTINGENT FUND.

MONTHLY PAY ROLL FOR APRIL, 1879.

Cornelius E. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	288 33
Albert G. Wheeler, City Attorney.....	168 66
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	187 50
David McKay, City Assessor.....	150 00
August M. Koeth, ..	150 00
Wm. Mahar, ..	150 00
Geo. W. Still, Judge Municipal Court.....	150 00
J. W. Duell, Judge Municipal Court.....	150 00
M. H. McMath, Clerk Municipal Court.....	59 00
Francis J. Irwin, City messenger.....	66 67
John E. McDevitt, Watchman City Hall ..	60 00
Thomas A. Buckley, Engineer City Hall ..	60 00
Peter G. Miller, Janitor Front street building.	40 00
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. B. Parsons, Draughtsman ..	60 00
W. J. Stewart, chairman ..	40 00
Ambrose Redman, rodman ..	30 00
Peter Sheridan, Assistant in Clerk's Office.....	150 00
E. W. Williams, Treasurer's Office.....	116 66
Chas. H. Stillwell, services in ..	83 33
James H. Wilson ..	62 56
Warham Whitney ..	54 17

MISCELLANEOUS.

Statistical Map of the United States.....	18 00
C. B. Denney, services Excise Com.....	150 00
E. Angevine, postage, telegrams, &c.....	25 00
E. A. Frost, County Clerk.....	\$36 36
Rochester Printing Co., printing ..	351 50
Evening Express Printing Co., printing tax sale, etc.....	161 25
Leary & Co., refreshments and services, April 7	115 00

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO MAY 1, 1879.

Joseph Schutte, Overseer.....	\$116 66
William H. Shields, Assistant Overseer ..	75 00
John T. Tracy bookkeeper ..	66 67
Jacob Lutt, clerk ..	40 00
Dr. Thos. A. O'Hare, City Physician ..	41 67
Dr. Geo. D. Bentford, City Physician ..	10 41
Dr. Chas. E. McKelvey, City Physician ..	41 67
F. Nusslin, M. D., services.....	31 25
W. F. Shehan, services.....	31 25
Fred Guac, clerk.....	20 00
Dr. Julius J. Schmitt.....	31 25
Dr. Rockwell.....	31 25
Dr. J. J. A. Burke.....	20 82
Dr. Louis Weigel.....	10 41

EXCISE COMMISSIONERS, QUARTER'S SALARY TO MAY 1ST, 1879.

Herman Mutschler.....	\$125 00
James Baker.....	125 00
Paris G. Clark.....	125 00

MISCELLANEOUS.

St. Patrick's Orphan Asylum, board of inmates to April 1.....	\$560 80
St. Mary's Orp'n Asy'm, bo'rd inmates to Ap'l 1	324 57
Industrial School ..	480 22
Home of Industry, ..	94 75
St. Joseph Orphan Asylum, ..	485 72
Home for Friendless, ..	121 00
Rochester Orphan Asylum, ..	419 98
Church Home, ..	226 98
City Hospital, ..	802 00
St. Mary's Hospital, ..	1,865 75
Geo. Schofield, transportation.....	19 02

And charge that fund.

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO APRIL, 1879.

Samuel Donnelly, Sup't Board Health, salary..	\$60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
C. A. Jeffords, garbage contract to April 1, 1879, E. S.....	125 00
Bradley & Co., garbage contractor to April 1, 1879, W. S.....	150 00

And charge that fund.

LAMP FUND.

C. A. Jeffords, lighting, etc., for April.....	\$724 28
National Gas Co.....	566 67
Citizen's Gas Co, lighting for Ap'l (on account)	4,500 00
Rochester ..	4,000 00

And charge that fund.

POLICE DEPARTMENT FUND.

Geo. Truesdale, Police Justice, sal. for April..	\$166 66
--------------------------------------------------	----------

And charge that fund.

CITY PROPERTY FUND.

Rochester Gas Co., gas City Hall and Front-st. building.....	\$143 75
F. J. Irwin, cleaning.....	82 85

And charge that fund.

By Ald. FitzSimons-Resolved, That the following accounts, chargeable to the Poor Fund, having been audited and approved by the Committee on Support and Relief of the Poor, are declared valid and due.

Resolved, That the Clerk is authorized, when requested, to endorse this declaration on the accounts.

POOR DEPARTMENT FUND.

Huhn Brothers, bread.....	\$24 50
S. B. Roby, rent of coal yard.....	87 50
George Middleton, beans.....	15 10
C. Frome, meat.....	25 00
Wm. PUNCH, burials.....	18 50
Jacob Nunhold, clothing.....	5 50
Hiram M. Todd, wood.....	98 00
Buckley & Abbs, bread.....	32 65
Geo. Bastian, bread.....	29 20
Schaffer Bros., bread.....	175 99
F. Kessel, bread.....	120 75
O. Oswald, shoes.....	52 00
A. Nolte, printing.....	10 80
L. M. Gould, groceries.....	7 00
Geo. F. Merz, flour.....	146 80
Gerling Bros., flour.....	48 50
H. Austin Brewster & Co., groceries.....	2 80
L. Jefferys, burials.....	75 00
Joseph Schutte, disbursements.....	67 25
John Grob, shoes.....	120 75
A. Bauerschmitt, meat.....	100 00
St. Patrick's Orphan Asylum, board of inmates to April 1.....	324 57
St. Mary's Orphan Asylum, do.....	500 80
Industrial School, do.....	480 22
Home of Industry, do.....	94 74
St. Joseph's Orphan Asylum, do.....	455 71
Home for Friendless, do.....	121 00
Rochester Orphan Asylum, do.....	410 97
Church Home, do.....	226 92
City Hospital, do.....	802 00
St. Mary's Hospital, do.....	1,865 75

And charge that fund.

Ald. FitzSimons moved its adoption.

Ald. Crouch moved as an amendment that all the salaries be paid the same as fixed last year until the first of May. Lost by the following vote:

Ayes-Ald. Tracy, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Edelman-8.
Nays-Ald. FitzSimons, Westbury, Otis, Warren, Wickens, Weaver, Knobles, Hart-8.
The Finance Budget was then adopted by the following vote:

Ayes-Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart-16.

By Ald. Vay-Resolved, That M. A. Johnson, Thomas Webster, Alexina Fullam and John Barrett have permission to erect wood buildings in accordance to their several petitions under the direction of Wood Building Committee and Fire Marshal. The petition of A. Langie we report adversely. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, April 6th, 1879. }

Gentlemen of the Common Council:

The New York State Press Association will convene in this city on the 17th day of June next. It had until lately been expected that Corinthian Hall would be placed at the disposal of its members, for the business meeting, on the morning of that date, and also for the entertainment in the evening; but the reconstruction which is now going on there, and which is likely to continue until the early fall, render it necessary for the gentlemen in this city having the arrangements in charge, to seek other quarters. In short, they would be glad of the privilege of occupying the Common Council Chamber, for the morning session, and also the City Hall for the evening exercises, which will be of an interesting character, and free to the public; and as all sections of the State will be represented on the occasion, I trust you will permit the occupancy of the rooms for the purposes, and on the date I have mentioned.

CORNELIUS R. PARSONS,
Mayor.

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, N. Y., May 3, 1879. }

To the Common Council:

I have the honor to transmit herewith first, a statement of expenditures by the Executive Board from the first of April to and including this date; second statement showing the condition of the several funds in charge of the Executive Board at this date:

Respectfully your obedient servant,

THOS. J. NEVILLE,
Clerk of Executive Board.

STATEMENT of expenditures by the Executive Board from the first day of April to this date, inclusive.

Funds charged.	Amounts.
Highway Fund.....	\$ 4,881 69
Fire Department Fund.....	2,524 17
Water Works Fund.....	3,358 69
Macadam Stone Fund.....	6 00
Salary and Expense Fund.....	1,339 73
Orange street sewer.....	69 81
Hart avenue plank walk.....	115 60
Allen street improvement.....	500 00
Total.....	\$12,820 19

[Official.] THOS. J. NEVILLE,
Clerk of Executive Board.

STATEMENT, showing the condition of the several funds in charge of the Executive Board at this date.

DEBITS.		
City Treasurer.....	\$31,971 92	
Sidewalk repairs.....	2,536 36	
Tracy park opening and extending.....	96 50	
Allen street bridge approaches.....	19 03	
Allen street improvement.....	500 00	\$35,123 1

CREDITS.		
Highway Fund.....	\$ 4,296 32	
Macadam Stone Fund.....	1,393 81	
Fire Department Fund.....	4,290 76	
Water Works Fund.....	23,005 85	
Water Works Fund, special.....	1,515 47	
Salary and Expense Fund.....	651 60	\$35,123 87

[Official.] THOS. J. NEVILLE,
Clerk of Executive Board.

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, N. Y., May 3, 1879.

To the Common Council:

I have the honor to transmit herewith, statement of the cost of laying water pipe to operate Allen street lift bridge, together with the certificate of the Chief Engineer of the Water Works that the said statement is correct.

THOS. J. NEVILLE,
Clerk of Executive Board.

ROCHESTER WATER WORKS,
ROCHESTER N. Y., May 3, 1879.

STATEMENT, showing total cost of labor and materials in laying water mains in Platt street, Broad street and Allen street; for supplying the hydraulic motor for Allen street lift bridge, said work being completed May 1st, 1879.

To Logan & Cregan, contractors, for laying said pipe, incl. cost of all extra work involved, as per final estimate rendered May 2, 1879.....	\$342 53
Special casting and machine work in flanging and fitting castings at motor, as per bill....	40 98
14,720 lbs., straight cast iron, 6-in. and 4-in. water pipe, furnished and delivered by city, at 1 1/2c.....	196 27
1,123 lbs special castings for said pipe, furnished and delivered by city, at 2 1/2c.....	28 08
Ludlow Valve Co., for two flanged 4-in. check valves and 2 flanged 4-in. stop gates, including freight, &c.....	57 27
Ludlow Valve Co., for 2 common 4-in. stop gates.....	26 00
Bill for blocks and wedges (G. W. & C. T. Crouch).....	9 78
640 lbs. lead for joints, furnished by city, at 4 1/2c.....	27 20
10 lbs. hemp packing, furnished by city, at 8c.....	80
2 (2) taps, and inserting same, furnished by city, at 1.50.....	3 00
Delivering and returning pipe, inspection and superintendence.....	25 00
Total.....	\$860 00

EXECUTIVE BOARD
OF THE CITY OF ROCHESTER,
ROCHESTER, May 3, 1879.

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

I do hereby certify that the account herewith presented for laying water pipe for operating Allen street lift bridge is correct, and that the expenditure was authorized to be made from the Contingent Fund by resolution of the Common Council passed February 13, 1879.

J. NELSON TUBBS,
Chief Engineer Water Works.

Ordered received, filed and published.

By the Clerk—

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

GENTLEMEN—The undersigned Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners, from the persons named, and in the respective amounts set forth in the following schedule, commencing March 31st, 1879, to and including April 31st, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time. To wit:

Susan Wagner, 210 E. Main street.....	\$ 20 00
Richard Kinney, 22 Exchange place.....	20 00
Samuel Donelly, 168 State street.....	20 00
John Wagner, cor. Jay and Grape.....	30 00
John Rusch, 30 Mumford street.....	40 00
V. Joseph Balzer, cor. Grand and Pinnacle avn.....	20 00
William Quambusch, 18 South avenue.....	20 00
Henry Kahl, 134 E. Main street.....	20 00
James Leonard, 286 State street.....	20 00
M. M. and A. E. Parsons, cor. State and Brown.....	40 00
John Knapp, 59 Francis street.....	20 00

Thomas Fitzgerald, cor. North st. and North av.	20 00
Charles A. Armbruster, 143 Hudson street.	20 00
Leugin Ott, 71 Mill street.	20 00
Walter S. Crowell, 94 Caledonia avenue.	20 00
Abraham Sichel, 71 North Clinton street.	20 00
Henry Stoppercan, 299 E. Main street.	40 00
John Stephan, 129 St. Joseph street.	20 00
August Stoll, 54 N. St. Paul street.	20 00
Sarah Meyer, 75 Exchange street.	20 00
Joseph S. Miller, 119 Jay street.	20 00
Michael Koch, 244 North Clinton street.	20 00
Adam Bauerschmidt, 34 Front street.	20 00

Total\$580 00

We have disposed of said money as follows:

Deposited with the City Treasurer.....\$580 00

Licenses have been granted to all of the above named applicants.

Dated April 30, 1879.

JAMES BAKER,
HERMAN MUTSCHLER,
PARIS G. CLARK,
Commissioners of Excise.

State of New York—County of Monroe—ss. James Baker, Herman Mutschler and Paris G. Clark, of the city of Rochester, in said county, being duly sworn say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of persons and dates therein given, are correctly set forth in said report, and that the said report embraces the whole of the moneys received from March 31st, 1879, to and including the 21st day of April, 1879.

JAMES BAKER,
HERMAN MUTSCHLER,
PARIS G. CLARK.

Sworn and subscribed to before me this 30th day of April, 1879.

JOHN G. MUTSCHLER,
Commissioner of Deeds.

Ordered received, filed and published.

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

GENTLEMEN—The case of the City of Rochester against John Langman, one of the engineers of the N. Y. C. and H. R. R. Co., for a violation of section 3 of the penal ordinances of said city, relating to railroads, was tried in the Police Court before Justice Tresdale this forenoon, and resulted in a judgment in favor of the city for one penalty, \$50.00.

The same questions that were raised in the case of the city against Smith were raised in this, and a new and additional one, which I deem it my duty to call your attention to.

The charter of 1850, which continued to be the charter of the city down to the time of the adoption of the present revised charter in 1861, contained among others, the following provision:

"§ 63 No ordinance of the Common Council imposing any penalty shall be binding or have effect for any longer period than three years from the passage thereof."

This section or provision was dropped and left out of the present city charter, and there is now no provision therein limiting the time in which penal ordinances of the city shall continue and remain in force Section 265 of the present charter provides as follows:

"§ 265. From and after the passage of this act, all acts and parts of acts inconsistent with or repugnant to this act are hereby repealed. But nothing herein contained shall be construed so as to destroy, impair or take away any right or remedy acquired or given by any

act hereby repealed; and all proceedings commenced under any such former act shall and may be carried out and completed, and all proceedings for any offense committed, or penalty or forfeiture incurred, shall be carried on in all respects in the same manner and with the same effect as though this act had not been passed."

It was urged by the counsel for defendant on the trial of the cause that section sixty-three of the charter of 1850 is still in full force and effect, and is not repealed by the provisions of section 265 of the present charter. It was also claimed by the learned counsel that the provisions of said section 63 are not inconsistent with or repugnant to any of the provisions of the present City Charter, and therefore the provisions of said section are still in force, and forms a part of the present charter of the city; and it was further claimed that the ordinance under which the defendant was prosecuted, not having been passed within the last three years, it was null and void.

This question is of vital importance to the city, for if said section 63 of the charter of 1850 is still in force, all of the penal ordinances of the city (except those that have been passed within the last three years) are null and void.

The question to my mind is one not free from doubt, and I would therefore suggest to your honorable Board, as a matter of prudence, the propriety of re-adopting and passing the several penal ordinances of the city as original ordinances, or so much and such parts of them as may be deemed advisable.

The present case will be removed by a writ of certiorari to the Supreme Court for review, where all the legal questions raised therein will be examined and determined by that court.

All of which is respectfully submitted.

Dated, May 6th, 1879. A. G. WHEELER,
City Attorney.

Ordered received, filed and published.

Ald. Westbury moved that the report be received, filed and published, and referred to the Law Committee. Adopted.

By Ald. Chace.

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

Gentlemen—I beg leave to call your attention to the case of a man named Frederick King, a resident of the town of Greece, who had his leg broken while passing along Lake avenue, about the 8th day of January last. He claims the injury was caused by the defective condition of the highway between the site of the toll gate and the Big Ridge road. Mr. King is an old man, and desires to avoid litigation. He will accept any reasonable compensation for his injuries, and requests an early consideration of his claim. Hoping your honorable body will grant his request,

I remain very respectfully,

D. C. FREELY.

Referred to the Law Committee.

ACTION ON ORDINANCES.

THE IMPROVEMENT OF HUDSON STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of improving Hudson street from the west line of North avenue to the north line of Channing street, by the construction of a McAdam pavement, with Medina stone curbs and gutters on each side thereof. Also the necessary surface sewers, crosswalks, lot laterals and man-holes, to include also the cleaning of

such portions of the main sewer as may be found to be necessary. The roadway to be located on the west side of the street, in order that room may be left for a street car track on the east side of the street. The sidewalks to be graded east from the curb stones, to the lines of the flag or plank walks.

Adopted.

The Surveyor submitted as such estimate, \$18,000. By Aid. Wickens—Resolved, That the following improvement is expedient, viz.:

The improvement of Hudson street from the west line of North avenue to the north line of Channing street, by the construction of a McAdam pavement, with Medina stone curbs and gutters on each side thereof, leaving the roadway 28 feet wide between curbs. Also the necessary curbs, sewers, crosswalks, lot laterals and man-holes. To include also the cleaning of such portions of the main sewer as may be found to be necessary. The roadway to be located on the west side of the street, in order that room may be left for a street car track on the east side thereof. The sidewalks to be graded back from the curb stones to the lines of the flag or plank walks.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$18,000, which estimate is hereby approved.

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

One tier of lots on each side of Hudson street, from North avenue to the north line of Channing street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may pay their assessments in five equal payments, as follows: One-fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of said roll; one-fifth of the amount within two years from the confirmation of said roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed of seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

PLANK WALK ON MANSION STREET.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet and eight inches wide on the west side of Mansion street, from Violetta street to Flint street. Also the necessary crosswalks.

Adopted.

The Surveyor submitted as such estimate, \$253. By Aid. Wickens—Resolved, That the following improvement is expedient, viz.:

The construction of a plank walk four feet and eight inches wide on the west side of Mansion street, from Violetta street to Flint street. Also the necessary crosswalks.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$253, which estimate is hereby approved.

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

One tier of lots on the west side of Mansion street, from Violetta street to Flint street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

PLANK WALK ON EVERGREEN PLACE.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet wide on each side of Evergreen Place, from the north line of Evergreen street to a point 139 feet north thereof.

Adopted.

The Surveyor as such estimate, \$84. By Aid. Wickens—Resolved, That the following improvement is expedient, viz.:

The construction of a plank walk four feet wide on each side of Evergreen Place, from the north line of Evergreen street to a point 139 feet north thereof.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$84, which estimate is hereby approved.

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

One tier of lots on each side of Evergreen Place, from the north line of Evergreen street to a point 139 feet north thereof.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May the 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

SPRINKLING PARK AVENUE.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Park avenue, from Alexander street to Goodman street, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate, \$175

By Aid. Wickens—Resolved, That the following improvement is expedient, viz.:

The sprinkling of Park avenue, from Alexander street to Goodman street, during the season of 1879.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$175, which estimate is hereby approved.

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

One tier of lots on each side of Park avenue, from Alexander street to Goodman street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May the 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

STONE SEWER IN HUNTER STREET.

By Aid. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expenses of constructing a stone sewer 18 inches by 24 inches in Hunter street, from the Francis street sewer to a point 72 feet east of the east line of Summer street. Also, the necessary surface sewers, lot laterals and manholes.

Adopted.

The Surveyor submitted as such estimate \$3,413.

By Aid. Edelman—Resolved, That the following improvement is expedient, viz: The construction of a stone sewer 18 inches by 24 inches, in Hunter street, from the Francis street sewer to a point 72 feet east of the east line of Summer street. Also, the necessary surface sewers, lot laterals and manholes.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$3,413, which estimate is hereby approved.

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

One tier of lots on each side of Hunter street, from Francis street to a point 72 feet east of Summer street.

And further, Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year of the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

SPRINKLING WEST AVENUE.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expenses of sprinkling West avenue, from the Erie canal to York street, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$910.

By Ald. Wickens—Resolved, That the following improvement is expedient, viz: The sprinkling of West avenue, from the Erie canal to York street, during the season of 1879.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$910, which estimate is hereby approved.

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

One tier of lots on each side of West avenue, from the Erie canal to York street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

SPRINKLING MONROE AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expenses of sprinkling Monroe avenue, from Clinton street to Union street, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$200.

By Ald. Wickens—Resolved, That the following improvement is expedient, viz: The sprinkling of Monroe avenue, from Clinton street to Union street, during the season of 1879.

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

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

One tier of lots on each side of Monroe avenue, from Clinton street to Union street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

SPRINKLING SPRING STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Spring street from Exchange street to Caledonia avenue during the season of 1879.

Adopted.

The Surveyor submitted as such estimate, \$250.

By Ald. Wickens—Resolved, That the following improvement is expedient, viz: The sprinkling of Spring street, from Exchange street to Caledonia avenue, during the season of 1879.

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

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

One tier of lots on each side of Spring street, from Exchange street to Caledonia avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

SPRINKLING PLYMOUTH AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Plymouth avenue, from the Erie canal bridge to Troup street, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate, \$200.

By Ald. Wickens—Resolved, That the following improvement is expedient, viz: The sprinkling of Plymouth avenue from the Erie canal bridge to Troup street, during the season of 1879.

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

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

One tier of lots on each side of Plymouth avenue, from the Erie canal bridge to Troup street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

OPENING A STREET THROUGH THE HAIR PROPERTY, FROM GOODMAN ST. TO E. MAIN ST.

By Ald. Mandeville—Resolved, That the City Surveyor ascertain and report to this Council the expense of opening a street through the Hair property, from Goodman street to East Main street.

Adopted.

The Surveyor submitted as such estimate, \$5,000.00.

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

The opening of a street through the Hair property, from Goodman street to East Main street; and the property necessary to be taken therefor is described as follows, viz: a strip of land 60 feet in width lying easterly and northerly of and adjoining the following described line, viz: Beginning at a point on the south line of East Main street 84 feet east of the west line of the Hair property; thence southerly in a curved line to intersect the southerly line of the said Hair property; thence easterly along the southerly line of the said Hair property to the west line of Goodman street, reference being had to a map of said property in the City surveyor's office.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$5,000.00, which estimate is hereby approved.

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

One tier of lots on each side of East Main street, from Franklin street to the N. Y. C. and H. E. R. R. Co.'s property, excepting the property through which it is proposed to open the new street; also, the territory inclosed within the following described boundary lines:

Commencing at the intersection of East Main street and Goodman street; thence northerly on Goodman street and including one tier of lots on the west side thereof to Bay street; also the lot on the northwest corner of Bay street and Goodman street; thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line; thence southerly along the city line to the northerly line of the N. Y. C. and H. E. R. R. Co.'s property; thence westerly along the northerly line of the N. Y. C. and H. E. R. R. Co.'s property to Goodman street; thence northerly on Goodman street to the place of beginning; also the property lying on the southerly side of the proposed street, known as the Wamsley property.

And further, Resolved, That the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May 20th, 1879, at half-past seven o'clock, at the Common Council chamber, when allegations will be heard.

Adopted.

ACTION ON FINAL ORDINANCES.

The final ordinance for opening a street through the Hair property came up.

Ald. Mandeville moved that the Clerk be directed to advertise for allegations to be heard at the next regular meeting, May 20, 1879, for opening a street through the Hair property, from Goodman street to East Main street.

The final ordinance for the opening and extension of Tracy Park came up.

Ald. Weaver moved that the ordinance lie on the table two weeks.

Ald. Westbury moved as an amendment that the ordinance be indefinitely postponed.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis,

Warren, Hebing, Vay, Wickens, Edelman, Knobles—9.

Nays—Ald. Tracy, Crouch, Chambers, Chace, Mandeville, Weaver, Hart—7.

FINAL ORDINANCE NO. 2,060.

PLANK WALK ON LINCOLN STREET.

On motion of Ald. Edelman 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. Edelman submitted the following:

An ordinance to construct a plank walk 4 ft. 3 inches wide, on each side of Lincoln street, from Channing street to Clifford street; also, the necessary crosswalks.

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

The construction of a plank walk four feet eight inches wide on each side of Lincoln street from Channing street to Clifford street; also, the necessary crosswalks.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$1,116, which estimate is hereby approved; 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 Lincoln street from Channing street to Clifford street, on which above described portion of the city the expense of said improvement are hereby ordered assessed.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The Clerk took from the table the final ordinance for opening a street from Lake avenue to Hastings avenue.

Ald. Chace moved that the ordinance lie on the table for two weeks. Adopted.

The penal ordinances in regard to railroads came up.

Ald. Westbury moved that action on the ordinances be postponed until the next meeting. Adopted.

UNFINISHED BUSINESS.

The Clerk presented the following resolution:

By Ald. FitzSimons—
Resolved, That the Mayor, on behalf of the city, enter into a contract with the Traders' Bank, Flour City Bank and the Commercial Bank each for one-third of the city's bank account for the new fiscal year—the contract's to be drawn in the same form as last year's contract with the Traders' and Flour City Banks.
By Ald. FitzSimons—

COMMERCIAL NATIONAL BANK, }
ROCHESTER, May 6, 1879. }

To the Finance Committee of the Common Council:

GENTLEMEN: This bank will pay into the City Treasury two hundred and fifty dollars (\$250), for the privilege of carrying the city account for the coming year, upon the same terms and conditions now in force with the banks having the account, and who pay nothing for it, and will furnish a bond for the faithful performance of the contract, signed by the following gentlemen, directors of the bank: H. F. Atkinson, Hiram Sibley, H. Austin Brewster, M. F. Reynolds, Lewis H. Morgan, Edmund P. Willis, Charles F. Pond, George Ellwanger, Theodore Bacon, C. G. Starkweather, William S. Kimball and Henry F. Huntington; and will also, if desired, deposit with the City Treasurer, United States bonds, or obligations of the city of Rochester for an amount to cover any balances on deposit.
Respectfully yours,
HENRY F. HUNTINGTON, Cashier.

Ald. Weaver moved that the whole matter be laid on the table for two weeks.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—10.

Nays—Ald. Westbury, Otis, Warren, Hebing, Crouch, Chace—6.

By Ald. Mandeville—

Resolved, That the "Asbury Methodist Episcopal Church" be exempt from tax for the sprinkling of South Clinton street.

Ald. Otis moved that the resolution be referred to the Assessment Committee. Adopted.

EXECUTIVE BUSINESS.

Ald. Hart moved that the Board proceed to ballot for Mt. Hope Commissioner. Adopted.

FIRST BALLOT.

Geo. H. Thompson.....15
John T. Fox..... 1

Geo. H. Thompson having received the requisite number of votes, was declared duly elected Commissioner of Mt. Hope for the term of three years.

Ald. Hart moved that the Board proceed to ballot for Commissioner of Deeds and that the Clerk cast the ballot. Adopted.

The following named persons having received the requisite number of votes, were declared duly elected:

Wm S. Brock, P. A. Costich, A. Meeker, John Desmond, J. H. Bishop, W. A. DeLee.

Ald. Knobles moved that the Board proceed to ballot for Police Commissioner. Adopted.

FIRST BALLOT.

Martin Barron..... 3
H. C. Daniels..... 2
Jacob Howe, jr..... 8
John H. Wilson..... 2
Blank..... 1

16

SECOND BALLOT.

Jacob Howe, jr..... 9
Martin Barron..... 6
H. C. Daniels..... 1

16

THIRD BALLOT.

Jacob Howe, jr..... 9
Martin Barron..... 6
H. C. Daniels..... 1

16

Alderman Otis moved that further balloting be postponed until the next meeting. Lost by the following vote.

Ayes—Otis, Warren, Hebing, Vay, Edelman, Nays—Tracy, Fitz Simons, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver, Knobles, Hart.

FOURTH BALLOT.

Jacob Howe, Jr..... 6
Martin Barron..... 8
Henry C. Daniels..... 2

16

FIFTH BALLOT.

Jacob Howe, Jr..... 7
Martin Barron..... 7
Henry C. Daniels..... 1
J. D. Decker..... 1

16

SIXTH BALLOT.

Jacob Howe, Jr..... 7
Martin Barron..... 6
H. C. Daniels..... 1
John H. Wilson..... 1
L. F. Relyea..... 1

16

SEVENTH BALLOT.

Jacob Howe, Jr.....	7
Martin Barron.....	5
C. M. St. John.....	3
Geo. H. Thompson.....	1
	—
	16

Ald. Warreu moved that further balloting be suspended until the next regular meeting. Adopted.

MISCELLANEOUS BUSINESS.

By Ald. Edelman—

Resolved, That Krembel & Bach be granted a market license at 228 North Clinton street, by paying into the City Treasurer the sum of twenty-five dollars. Adopted.

By Ald. Vay—Petitions from Geo. W. Archer for permission to erect a wood building, and moved that permission be granted. Adopted.

By Ald. Chambers—

To the Honorable Common Council of the City of Rochester:

GENTLEMEN—The undersigned, to whom was referred the resolution offered by Ald. Chambers at the last regular meeting of your Board, directing the City Attorney to examine the law relating to the closing of the Genesee Valley canal, and report to the Board at its next regular meeting what steps are necessary to be taken in order to secure to the city of Rochester the right to enter upon said lands at all times for the purpose of using the same for sewerage and other purposes, would report: That after an examination of the several acts of the Legislature of this State in relation to the subject matter, I find that by the terms of said acts the Genesee Valley canal was ordered to be abandoned and discontinued as a canal on the 30th day of September, 1878. It is further provided therein that it shall be the duty of the Canal Commissioners or Superintendent of Public Works, subject to the approval of the Canal Board, as soon as practicable after the passage of said acts, except as therein otherwise provided, to advertise for sale and to sell, after the close of navigation in the year 1878 the Genesee Valley canal, its feeders, branches, appurtenances and water privileges. Said Superintendent of Public Works is required to advertise said property to be sold under said acts, daily, (Sundays excepted) for twelve weeks immediately prior to such sale, in the State paper at Albany, and in such other newspapers, if any published on the line of the canals to be sold, not exceeding three, as said Superintendent of Public Works may select, and to give in such advertisements a full and detailed description of the property to be sold, with the names of the owners of the adjoining lands and streets in cities, and also to state therein the time and place of sale. Any sale so advertised may be postponed one month. But where an option is given to purchase at an appraised valuation, as therein otherwise provided, no advertisement for such sale for an appraised amount shall be necessary.

Said acts further provide that it shall be the duty of said Commissioners or Superintendent, and the Commissioners of the Canal Fund to cause and estimate and appraisal to be made by competent persons of such portions of said canals as run through or near cities or villages, and of the inlets and outlets, as may be desired by such cities or villages for hydraulic, hygienic or fire purposes. And also such portions thereof

as it may be deemed expedient or profitable to sell as water privileges. Such cities and villages have the right and option for one month after written notice of such appraisal from the Superintendent of Public Works, of taking and purchasing such portions of said canals, with their inlets and outlets, as may be so appraised for such purpose, at the appraised value thereof. Upon the payment of one-fourth of the purchase price at the time of sale and the balance thereof in six equal annual payments, with interest at six per centum per annum, to be secured by the bonds of the cities or villages purchasing, and any city or village desiring to make such purchase, is thereby authorized to borrow money and issue its bonds for that purpose.

Said acts further provide that whenever the said Commissioners or Superintendent shall ascertain that the prism and banks of either of said canals, or any considerable portions of either, are desired by responsible parties or a responsible corporation or corporations as a bed for the construction of a railroad or for the continuance of the same for a canal; and that the same can be sold on as favorable terms, and for as large an amount therefor as for other purposes, or where the use thereof is deemed for the interests of the locality through which the canal runs, the said Canal Commissioners or Superintendent are authorized to sell either or any such portion of either of said canals for such railroad or canal purposes, on obtaining proper guarantee that the same shall be so used, anything therein contained in said acts to the contrary notwithstanding.

All action by the Canal Commissioners or the Superintendent under said acts shall be only with the consent and approval of the Canal Board.

It is further provided by said acts that they shall not affect any disposition of the lateral canals already made except to complete and perfect the same, or which may thereafter be made by law, before any sale by which the use or fee of any of said canals may be otherwise disposed of.

I understand there are several bills now pending before the legislature providing for the sale and transfer of the fee of said Genesee Valley canal or certain portions thereof to certain individuals or private corporations for the construction of a railroad. It is of the utmost importance that the city secure the right of the State to construct and maintain said proposed sewer before any transfer is made of that portion of said canal lying within its limits to any outside parties for the reason that it is quite obvious that the city can obtain such right from the State on much more advantageous terms than it could from private individuals or corporations.

I would therefore suggest that the city make immediate application to the legislature for the passage of an act authorizing or securing to the city the right to construct and maintain said proposed sewer in said canal before any disposition is made of that portion thereof lying within its limits.

Whatever action is taken should be done at once, as the legislature is now about to close its session.

All of which is respectfully submitted.

A. G. WHEELER, City Attorney.

Dat d May 6th, 1879.

Ordered received, filed and published.

By Ald. Hebing—WHEREAS, Geo. L. Whitlock, on the 22d day of January, 1879, obtained a butcher's license and paid therefor in the city treasury twenty-five dollars; and

Whereas, The said Geo. L. Whitlock has sold his business to G. S. Crane; therefore

Resolved, That the said G. S. Crane be and he is hereby granted permission to sell fresh meats subject to the conditions of said license and during the unexpired time thereof viz., July 1st, 1879. Adopted.

By Ald. Warren—Whereas, Lot No. 57 and 58, parts of the Gregory tract, South avenue, Twelfth ward, was assessed for the General City Tax for the year 1877 under one valuation and in one amount, and are now owned by two or more persons, therefore;

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payments of \$26.90 with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., April 21st, 1879 }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the General City Tax for the year 1879 to Frank B. Crouch, viz: Lot No. north part 57 and northwest part 58 Gregory tract, east side of South avenue, Twelfth ward, 90 feet front, 90 feet rear, and 160 feet deep, and that the owner of said property should pay as his portion of the General City Tax for 1877 the sum of \$26 90 upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed,)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st 1879. GEO. D. WILLIAMS,
(A true copy.) Treasurer.

Adopted.

By Ald. Warren—Whereas Lot No. 69, 70, 72 and 73 of the B. Fish tract, Channing street, Thirteenth ward, was assessed for North avenue outlet sewer No. 1,794 under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$30 with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., April 21st, 1879 }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the General City Tax for the year 1879 to Calvin W. Owen, viz: Lot No. 71, 72 and 73 B. Fish tract, north side of Chan-

ning street, Thirteenth ward, 120 feet front, 120 feet rear, and 99 feet deep, and that the owner of said property should pay as his portion of North avenue outlet sewer No. 1,794, the sum of \$30, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed,)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st, 1879. GEO. D. WILLIAMS,
(A true copy.) Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots Nos. 69, 70, 71, 72 and 83 of the B. Fish tract, Channing street, 13th ward, was assessed for Channing street sewer, No 1668, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$244.35, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., April 21st, 1879. }
Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the general city tax for the year 1879 to Calvin W. Owen, viz.: Lots No. 71, 72 and 73, B. Fish tract, north side of Channing street, 13th ward, 120 feet front, 120 feet rear, and 99 feet deep, and that the owner of said property should pay as his portion of Channing street sewer, No. 1668, the sum of \$244 35, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21, 1879. GEO. D. WILLIAMS,
(A true copy.) Treasurer.

Adopted.

By Ald. Warren—Whereas, Lot No. 57 and 58, part of the Gregory tract, South avenue, 12th ward, was assessed for the general city tax for the year 1878, under one valuation and in one amount, and are now owned by two or more persons; therefore

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$20.81, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., April 21, 1879. }
Geo. D. Williams, Treasurer:

SIR: We, the assessors of the city of Rochester, do hereby certify that the following de-

scribed property has been assessed upon the assessment rolls for the general tax for the year 1879 to Frank B. Crouch, viz.: Lot No. north part 57 and northwest part 58, Gregory tract, east side of South avenue, 12th ward, 90 feet front, 90 feet rear, and 160 feet deep, and that the owner of said property should pay as his portion of the general city tax for 1878 the sum of \$20.81, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land. (Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21, 1879. GEO. D. WILLIAMS,

(A true copy). Treasurer.

Adopted.

By Ald. Warren—Whereas, Lot No. 57 and 58, parts of the Gregory Tract, South avenue, 12th ward, was assessed for the general city tax for the year 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated April 21st, 1879, and on file in the Treasurers office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$8.13, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., April 21, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the general city tax for the year 1879, to W. M. Shera, viz:

Lot No. 58, southeast point Gregory Tract, north side of Oakland Park, 12th ward, 33 feet front, 33 feet rear, and 128 feet deep, and that the owner of said property should pay as his portion the general city tax for 1878 the sum of \$8.13, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land. (Signed,)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st, 1879. GEO. D. WILLIAMS,

(A true copy). Treasurer.

Adopted.

By Ald. Warren—Whereas, Lot No. 57 and 58, parts of the Gregory Tract, South avenue, 12th ward, was assessed for the general city tax for the year 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$5.43 with expenses and interest, in pursuance of said certificate.

[COPY]

CITY ASSESSORS' OFFICE.

ROCHESTER, N. Y., April 21, 1879. }

Geo. D. Williams, Treasurer:

SIR: We the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the general city tax for the year 1879, to Julia A. Bubser, viz:

Lot No. —, east part 57 and northeast part 58 Gregory Tract, north side of front, 99 feet rear, and 154 feet deep, and that the owner of said property should pay as her portion of the general city tax for 1878, the sum of \$5.43, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land. (Signed,)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st, 1879. GEO. D. WILLIAMS,

(A true copy) Treasurer.

Adopted.

By Alderman Warren—WHEREAS, Lots No. 57 and 58, parts of the Gregory Tract, South avenue, 12th ward, was assessed for the general city fund for the year 1877, under one valuation and in one amount, and are now owned by two or more persons; therefore

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$7.02 with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y. April 21st, 1878. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify for the general city tax for the year 1879 to Julia A. Bubser, viz., Lots No. east part 57 and northeast part 58, Gregory Tract, north side of Oakland Park, 12th ward, 99 feet front, 99 feet rear, and 154 feet deep, and that the owner of said property should pay as her portion of the general city tax for 1877 the sum of \$7.02, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land. (Signed,)

(Signed,) D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st, 1879. GEO. D. WILLIAMS,

(A true copy) Treasurer.

Adopted.

By Alderman Warren—WHEREAS, Lots No. 67 and 48, parts of the Gregory Tract, South avenue, 12th ward, was assessed for the general city tax for the year 1876, under one valuation and in one amount, and are now owned by two or more persons; therefore

Resolved, That the property described in a certificate from the assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$10.50, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,

ROCHESTER, N. Y., April 21st, 1879. }

Geo. D. Williams, Treasurer:

SIR: We the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the general city tax for the year 1879, to W. M. Spera, viz, Lot No. 58, southeast part Gregory Tract, north side Oakland Park, 12th ward, 32 feet front, 33 feet rear, and 128 feet deep, and that the owner of said property should pay as his portion of the general city tax for 1877, the sum of \$10.50, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed.)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

City Treasurer's Office, Rochester, N. Y.,
April 21st, 1879. GEO. D. WILLIAMS,
(A true copy.) Treasurer.

By Alderman Warren—

Whereas, Lot Nos. 69, 70, 71, 72 and 73, of the B. Fish tract, Channing street, Thirteenth ward, was assessed for Channing street walk No. 1,921, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$33.75, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,

ROCHESTER, N. Y., April 21, 1879. }

George D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879, to Calvin W. Owen, viz:

Lot Nos. 71, 72 and 73, B. Fish tract, north side of Channing street, Thirteenth ward, 120 feet front, 120 feet rear, and 99 feet deep, and that the owner of said property should pay as his portion of Channing street walk No. 1,921, the sum of \$33.75, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

City Treasurer's office, Rochester, N. A.,
April 21st, 1879. GEORGE D. WILLIAMS,
(A true copy.) Treasurer.

By Alderman Warren—

Whereas, Lot Nos. 69, 70, 71, 72 and 73, of the B. Fish tract, Channing street, Thirteenth ward, was assessed for Vincent place opening, No. 1,561, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated April 21st, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment, upon the payment of \$4 45, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,

ROCHESTER, N. Y., April 21, 1879, }

George D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Calvin W. Owen, viz:

Lot Nos. 71, 72 and 73, B. Fish tract, north side of Channing street, Thirteenth ward, 120 feet front, 120 feet rear, and 99 feet deep, and that the owner of said property should pay as his portion of Vincent place opening, No. 1,561, the sum of \$4 45, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed.)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

City Treasurer's office, Rochester, N. Y.,
April 21, 1879. GEO. D. WILLIAMS,
(A true copy.) Treasurer.

Adopted.

By Ald. Warren—Resolved, That the City Clerk be and he is hereby directed to furnish the Assessors the names of all streets in the Fifteenth and Sixteenth wards where there are lamps. Adopted.

By Ald. Warren—Resolved, That the City Treasurer be requested to report to this Council, at its next regular meeting, the total amount received by him from the Clerk of the Municipal Court during the whole time since the organization of said court, together with the dates of the several receipts by him. Also what disposition he has made of the money so received by him. Adopted.

By Ald. Warren—Whereas, During the term of the Board of Public Works, E. Boughton, whose premises is located on the corner of Court and South St. Paul streets, was erroneously assessed for South St. Paul street sewer, the amount of \$4.49; therefore,

Resolved, That the City Treasurer be and he is hereby directed to cancel said tax and charge erroneous assessments. Adopted.

By Ald. Otis—Whereas, Certain charter amendments have been imposed upon the city of Rochester by the Legislature of the State, and other amendments are now pending before said Legislature without the consent of the Common Council of said city; therefore,

Resolved, That our representatives in the Senate and Assembly be and are hereby requested to oppose all charter amendments that have not been considered and approved of by this Council. Adopted.

By Ald. Westbury—Resolved, That our representatives in the Senate and Assembly be and they hereby are requested to secure, if possible, by legislative enactment, the right of the city of Rochester to construct and maintain an outlet sewer in the bed of the Genesee

Valley canal, lying within the limits of said city.

Resolved, That a committee of three be and they are hereby appointed a committee of this Board to proceed immediately to Albany and lay the subject matter of the foregoing resolution before our representatives, and aid them in securing the necessary legislation to secure the object intended. Adopted.

Ald. Hart moved that the expenses be not over \$75.00. Adopted

By Ald. Westbury—Resolved, That the City Attorney be and is hereby authorized to revise the city charter and ordinances under the direction of the Committee on City Charter Amendments, Ordinances and Rules. Adopted.

By Ald. Westbury—Resolved, That the City Attorney be and he hereby is, requested to suspend the further prosecution of persons for violating the ordinances relating to railroads, until the further order of this Board. Adopted.

By Ald. FitzSimons—Resolved, That hereafter the City Clerk is authorized and directed to draw and deliver the warrants for the several monthly salaries, on the first day of each month.

Resolved, That the Clerk present in the Budget, at the first meeting following the first of the month, the list of officers and employes and the amounts severally paid them. Adopted.

By Ald. Fitz Simons—Resolved, That the amounts set opposite the several funds in the schedule attached hereto be and are hereby adopted as the sums to be raised for such funds and for the expenses of the city for the ensuing year, as provided in Section 85, Title 5, City Charter :

For lighting the city.....	\$55,240 00
For support of the police department.....	58,200 00
For general contingent expenses.....	40,000 00
For support and relief of the poor.....	40 000 00
For Board of Health.....	8,000 00
For support of common schools, viz: To lease, alter and improve school houses, their outhouses, and their appurtenances.....	\$5,000 00
For the purchase and improvement of sites, and to build and enlarge school houses.....	15 000 00
For wages of teachers and contin- gent expenses.....	100,000 00
For erroneous assessments.....	120,000 00
For City Property Fund.....	2,572 19
For the care and maintenance of public parks.....	5,000 00
For the payment of notes given for deficien- cies in the following funds:	1,000 00
Poor Fund.....	10,000 00
Highway fund.....	5,000 00
Lamp Fund.....	5,000 00
Stone Breaking.....	5,000 00
	25,000 00

For interest on the bonded debt as follows:

	<i>7 per cents.</i>
1 year on \$51,000, floating debt....	3,570 00
1 year on \$60,000, floating debt....	4,200 00
1 year on \$150,000, floating debt....	10,500 00
1 year on \$15,000, Clarissa street Lodge.....	1,050 00
1 year on \$14,186 13, Arsenal site.....	993 02
1 year on \$335,000, City Hall.....	23,450 00
1 year on \$125,000, Free Academy building.....	8,750 00
1 year on \$15,000, Free Academy site.....	1,050 00
1 year on \$5,000, Monroe Avenue Cemetery.....	350 00
1 year on \$15,000, Monroe Ave- nue School.....	1,050 00
1 year on \$50,000, deficiency loan.....	3,500 00
1 year on \$410,000, funding loan, 1875.....	28,700 00
1 year on \$20,000, No. 5 school.....	1,400 00
1 year on \$3,182,000, waterworks.....	222,740 00
1 year on \$600,000, E. S. and L. R. R.....	42,000 00

1 year on \$150,000, R. N. and P. R. R.....	10,500 00
Six Per Cents:	
1 year on \$40,000, relief soldiers' families.....	2,400 00
1 year on \$25,000, Main street wi- dening.....	1,500 00
1 year on \$20,000, steam fire en- gines.....	1,200 00

Less amount of receipts to be
turned over by Fire and Water
Board..... 368,903 02
40,000 00

Total required to pay interest.....	328,903 02
For Fire and Water Board:	
For Fire Department fund.....	\$40,000 00
For extension of water pipe.....	15,000 00
	55,000 00
For Executive Board, as per their requis- ition:	
For the care and maintenance of streets and avenues, including street cleaning and repairs to sewers and bridges.....	\$46,200 00
For salaries of Commissioners....	6,000 00
	52,200 00

Ordered received, filed and published.

By Ald. FitzSimons—Whereas, The litigation waged between this city and Samuel W. Johnson and others, owners of the Rochester Cotton Mill, in relation to the title to a strip of land situated on Center street, has been twice decided against the city, and the indications are that the defeated party will in the end have a bill of costs to pay amounting to more than the value of the land in question; and,

Whereas, The Court of Appeals of this State has once passed upon the question involved and after the litigation had been disposed of in favor of the title of the Cotton Mill people to this strip of land a suit was instituted in behalf of the city by the Executive Board to enforce the right of the city to this land for highway purposes and under the claim that such highway was needed for access to the bank of the river for the purpose of dumping rubbish; and,

Whereas, Such right of way, if it exists, is absolutely of no value to the city, for the reason that the city has no title to any of the lands adjoining on which rubbish can be thrown and the dumping of rubbish there is a trespass against the private rights of the owners of land and a public nuisance as affecting the navigation of the river; and

Whereas, The Supreme Court has twice at Special Term and once at General Term decided against the existence of the alleged highway and the further litigation of the question can only result in large additional expense to the city, incurred in litigating a question in which it has no interest and no prospect of success, and in inflicting unjustifiable annoyance and cost upon persons, who, as taxpayers and employers of large numbers of our citizens are entitled to consideration: therefore,

Resolved, That the Executive Board be and it is hereby directed to ascertain whether the litigation pending between Samuel W. Johnson and others and the city can be settled by each party paying his own costs, and if so, that settlement be made forthwith. Adopted.

By Ald. Tracy—Whereas, the City Treasurer has found it necessary in consideration of the appropriation for the employment of the clerical force in his office, to reduce such force to the number employed in his office prior to April 15th, 1878.

And, whereas, on such date a Citizens' Committee consisting of John Bower, George C. Buell, and J. Moreau Smith, did present to this body a report of which the following is an excerpt:

CLERICAL FORCE INSUFFICIENT.

It will be seen from what has been already said that by the innovations introduced the management and work of the Treasurer's office, tending to greater efficiency and perfectness, much additional skilled labor is necessarily required. Apart from this fact, it must be remembered that the natural increase of business, if only attended to after the methods of former years, has been very great. As was shown in a communication from the Treasurer to your board in November, 1876, the taxes levied in the seven preceding years nearly equalled in amount those levied in the thirty-six years ante-dating the latter period. And it is quite evident to our committee that the clerical force of the office has not been increased in the ratio of its vastly augmented business and labors. Such increase of the force employed as has been made has inured to the great benefit of the city, even in a pecuniary point of view, and will, no doubt, continue to be more than self-sustaining. It is evident, however, that the present clerical force is insufficient to properly carry on the business of the office within reasonable hours of labor, and we are firmly of the opinion that an additional sum of one thousand dollars should be allowed for its increase. We are aware that a thoughtless objection may be raised to this reasonable proposition, but a comparison of the work required and performed in the Treasurer's office, with other offices of like nature—mercantile houses, railroads, &c.,—will develop the fact that in very few offices elsewhere is so much labor so cheaply performed. We must also not forget the fact, in this connection, that the Treasurer's responsibility is great, and he is under heavy bonds for the faithful and honest performance of his trust. One less ambitious to perform his work thoroughly, and less devoted to the interests of the city, might easily avoid much labor by allowing matters to drift along in the old channels; but that would be greatly to the detriment of the city's welfare—pecuniarily and otherwise. Besides, the economy which necessarily enforces the efficient performance of duty in the financial department of a city, will prove, in the long run, the most foolish kind of prodigality; and,

Whereas, In pursuance of such suggestion the City Treasurer, did assign, Mr. Charles H. Stillwell, who has within a few days performed the duties suggested in said report by said committee.

And, Whereas, It is manifest that the recommendation of said committee under existing circumstances cannot be carried out; therefore, be it

Resolved, That Charles H. Stillwell be re-employed as clerk in the City Treasurer's office for the present current year at the rate of \$70 per month, the same to be paid out of the contingent fund.

Ald. Hebing moved its reference to the Finance Committee. Adopted.

By Ald. Tracy—Resolved, That a license be granted to P. T. Barnum to exhibit his "New and Only Greatest Show on Earth" one day

in this city on paying into the Treasury the sum of \$25. Adopted.

The President announced as the committee to go to Albany: Ald. Westbury, City Surveyor Peacock, and City Attorney Wheeler.

Ald. Chambers moved that ex-Ald. John W. Martin be added to the committee. Adopted. The Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, May 20, 1879.

REGULAR MEETING.

Present—Ald. Tracy, FitzSimons, Wesbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent—Ald. Warren—1.

Ald. E. B. Chace, President of the Board, presiding.

The minutes of the last meeting were approved as published in book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Tracy—Bills of Charles A. Jeffords, lighting, &c., May, \$713.80. National Gas Light Company, \$566.67.

By Ald. Hebing—Claims of Mary E. O'Keif. Referred to Law Committee.

By Ald Crouch :

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

The Rochester Steam Heating and Power Company respectfully represents :

That it has been duly organized as a corporation for the purpose of furnishing steam from one or more central points, to be conveyed in iron pipes properly guarded and protected, for general use for heating buildings and providing power.

That it can also be used for cooking purposes, and for extinguishing fires; and generally for all purposes for which steam or steam heat are or can be employed.

That its general use will also greatly diminish the fire risk; the risk of accidents from explosion, and reduce insurance rates.

That the pipes used for conveying steam are of small size, do not require to be placed very deep, and can be generally carried through alleys and back street.

The undersigned, Trustees of said Company, do therefore respectfully request :

That your honorable body will grant to the said Company the right to lay pipes through or under the public streets, alleys or bridges, for the purpose of conveying steam;

The same to be done under the supervision of the Executive Board ;

And upon the said Company giving satisfactory security to protect the city against any claim for damages that may occur in consequence thereof.

GEO. C. BUELL,

J. E. BOOTH,

M. F. BEYNOLDS,

H. H. CRAIG,

FRED'K COOK,

G. E. MUMFORD,

PAT'K BARRY,

E. W. BUTTS,

WM. J. KIMBALL,

Trustees.

Dated May 20, 1879,
By Ald. Crouch—Petition of E. W. Hyde to erect wood building, and moved that permission be granted. Adopted.

By Ald. Crouch—Bills of

Fred. Wurtz, meat.....	\$ 75 00
John B. Hahn, flour.....	46 00
A. Heber, bread.....	23 60
Smith, Perkins & Co, groceries.....	638 57
C. Herzberger, meat.....	150 00
Jacob Howe & Son, bread and crackers.....	156 18
Goetzman & Son, soap.....	18 75
W. & J. M. Aikenhead, soap and candles.....	113 94
Bernard Huhn, bread.....	42 45
J. Langnecht, meat.....	30 00

Referred to the Poor Committee.

By Ald. Chambers—Bills of C. E. Morris, stationery, \$95.65; Benford & Stewart, maps, \$4.95. Referred to contingent Expense Committee.

Also, petition for water pipes in Cady street. Referred to Water Works Committee and Water and Fire Board.

Also petition of Andrew S. Angel for the erection of a wood building. Referred to the Wood Building Committee and Fire Marshal. By Ald. Mandeville—Bill of Rochester German Insurance Company, insuring Truant House, \$96. Referred to City Property Committee.

By Ald. Mandeville—Resolved, That the use of the City Hall be granted to the New York State Press Association on the evening of the 17th day of June, 1879. Adopted.

By Ald. Mandeville—Resolved, That the Mayor is requested to enter into a contract with Watters & Doyle for the delivery in the basement of the City Hall building of 250 tons of large egg (grate) anthracite coal, in accordance with the terms of the advertisement of the City Property Committee and the proposal submitted by them. Adopted.

By Ald. Vay—Petitions of J. J. Bausch and Leonhard Mandry for permission to erect a wood building, and moved that the prayer of the petitioners be granted. Adopted.

Also, petition of Casper Lintz and Lewis Amering to erect wood buildings. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Edelman—Petitions to lay water mains in Chatham street. Referred to Water Works Committee and Water Board.

Also, petition to lay water mains in McDonald avenue. Same reference.

Also, petition to lay water mains in Hope st. Same reference.

Also, petition to lay water mains in Baden street. Same reference.

Also, petition for water mains in Rauber street. Same reference.

Also, petition of Concordia Trustees for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Weaver—Petition for sprinkling Andrews street. Referred to the Improvement Committee.

Also, petition for sprinkling North avenue. Same reference.

Also, petition for a fountain in Court House Square. Referred to the Water Works Committee.

By Ald. Weaver—

To the Hon. Common Council:

The Rochester City and Brighton Railroad Company respectfully ask permission of your honorable body to lay double tracks from the present terminus of its tracks on North avenue, across the New York Central Railroad, down North street, through Draper street to North avenue, and thence to the terminus of the Bay Railroad. C. B. WOODWORTH, Treasurer.

Rochester, May 20, 1879.

Also the following:

For value received of the Rochester City and Brighton Railroad Company, I hereby grant and convey to the said Company a right of way in and through Draper street, in the city of Rochester, N. Y., by and in front of the lands on said street, belonging to me wholly or in part, for the purpose of constructing and operating a Horse Railroad as authorized by the Common Council of the city of Rochester, said tracks to be double tracks, laid in the centre of the street.

Witness our hands and seals this twentieth day of May, 1879.

Kelsey Todd,	Lemuel Smith,
By agt.	By agt.
L. E. Dake,	Lucia A. Dake,
Henry Heber,	Austin S. Smith,
E. W. Witzall,	Elizabeth Enders,
Mary G. Reagan,	Eliza Dorers,
By agt.	By agt.

For value received of the Rochester City and Brighton Railroad Company, I hereby grant and convey to said Company a right of way in and through North street, in the city of Rochester, N. Y., by and in front of the lands on said street, belonging to me wholly or in part, for the purpose of constructing and operating a Horse Railroad as authorized by the Common Council of the city of Rochester. Said track to be laid on the sides of the street, in same manner as on Lake avenue.

Witness our hands and seals this third day of April, 1879, at Rochester, N. Y.

John Figh,	August Schorer,
S. Gosnell,	Michael Walters,
Patrick McCall, sr.,	Patrick McCall, jr.,
Elizabeth A. Ball,	Henry Guile,
Geo. F. Frank,	Mrs. Ellen Burnt,
Agt. for Fred Miller,	
Mrs. Harriet E. Miller,	James Baker,
C. H. Williams,	T. Miles,
Nicholas Kirchoff,	W. S. Osgood,
	Geo. B. Smith,

We hereby certify that the above instrument is signed by a majority of the taxpayers in the territory described therein.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

Rochester, April 16, 1878.

STATE OF NEW YORK, } ss.
Monroe County, }

William H. Brown, being duly sworn, doth depose and say, that he was present and saw the several parties whose names are attached to this document, sign and deliver the same.

WM. H. BROWN.

Sworn to before me this 16th day of April, 1878.

JOHN ALEXANDER,
Commissioner of Deeds.

For value received of the Rochester City and Brighton Railroad Company, I hereby grant and convey to the said company, a right of way in and through North street, in the city of Rochester, N. Y., by and in front of the lands on said street, belonging to me wholly or in part, for the purpose of constructing and operating a horse railroad as authorized by the Common Council of the city of Rochester. Said tracks to be laid on the sides of the streets, in the same manner as on Lake avenue.

Witness our hands and seals this third day of April, 1878, at Rochester, N. Y.

Geo. F. Frank,	Wm. H. Brown,
C. Williamson,	J. Adam Krautzwaest,
John U. Flad,	Frank Shaffer,
B. Chapman,	Ezra P. Hays,
George Bell,	Geo. W. Wilson,
Geo. F. Hall,	John Schaaf,
Michael Burns,	Leonard Ferner,
Melvina Zass ist,	Frank J. Meyer,
Frank Yerboorlosh,	Samuel Bush,
Anthony Walters,	Walter North,
B. Murray,	Geo. P. Davis.

STATE OF NEW YORK, } ss.
Monroe County, }

William H. Brown, being duly sworn, doth depose and say, that he was present and saw the several parties whose names are attached to this document, sign and deliver the same.

WM. H. BROWN.

Sworn to before me this 16th day of April, 1878.

JOHN ALEXANDER,
Commissioner of Deeds.

For value received of the Rochester City and Brighton Railroad Company, I hereby grant and convey to the said company, a right of way in and through North street, in the city of Rochester, N. Y., by and in front of the lands on said street, belonging to me wholly or in part, for the purpose of constructing and operating a horse railroad as authorized by the Common Council of the city of Rochester. Said tracks to be laid on the sides of the street, in the same manner as on Lake avenue.

Witness our hands and seals this third day of April, 1878, at Rochester, N. Y.

George Alhart, Mrs. J. Leary,
Hugh Cooper, Harriet T. Brown.

STATE OF NEW YORK, } ss.
Monroe County, }

William H. Brown, being duly sworn, doth depose and say, that he was present and saw the several parties whose names are attached to this document, sign and deliver the same.

WM. H. BROWN.

Sworn to before me this 16th day of April, 1878.

JOHN ALEXANDER,
Commissioner of Deeds.

Ald. Otis moved that the prayer of the petitioners be granted. Adopted.

The City Attorney was heard.

By Ald. Knobles—Petition of Michael Basil for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal. Also remonstrance against the same. Same reference.

By Ald. Hart—Claim of James H. Babcock for damages. Referred to the Law Committee.

POLICE DEPARTMENT FUND.

Police Pay Roll for April, as follows.....\$6,109 40

POLICE PAY ROLL FOR APRIL, 1878.

Alex. McLean.....	\$131 75
Samuel Brown.....	79 05
Peter Hughes.....	79 05
W. J. Rogers.....	79 05
Thos. Lynch.....	79 05
Peter Lauer, Jr.....	79 05
P. C. Kavanaugh.....	79 05
Ferry Marshall.....	79 05
Thomas A. Burchell.....	79 05
Caleb Pierce.....	79 05
Henry Baker.....	69 75
Jos. P. Cleary.....	69 75
Frank B. Allen.....	69 75
W. B. McArthur.....	69 75
John J. Garrett.....	69 75
Jacob Frank.....	69 75
John C. Haydon.....	69 75
John Wangman.....	69 75
Hugh Johnston.....	69 75
John H. Dana.....	69 75
Ed. Van Vorst.....	69 75
Hugh Clark.....	69 75
John C. McEatters.....	69 75
Wm. H. White.....	69 75
Thos. F. Hurley.....	69 75
Pat'k H. Sullivan.....	102 30
Chas. McCormick.....	79 05
Jos. S. Roworth.....	79 05
Wm. F. Lush.....	65 75
Barth. Crowley.....	69 75
Robert Burby.....	69 75
Ralph Bendon.....	69 75
Jacob Harter.....	69 75
Thos. Crouch.....	69 75
Andrew Connolly.....	69 75
Wm. P. O'Neill.....	69 75
Benjamin C. Furdher.....	69 75
William H. Keith.....	69 75
John H. Wordell, 28 days.....	65 24
Barney Horneeler.....	69 75
John Mitchell.....	69 75
Robert McKee.....	69 75
Charles E. Fowler, 29 days.....	67 57
Michael Brady.....	69 75
William McKelvy.....	69 75
Joseph Legler, 27 days.....	62 91

William H. DeWitt, 28 days.....	65 24
Nicholas J. Loos.....	69 75
Fred. Griebel.....	69 75
Robert Sloan.....	69 75
Peter Bohrer, 29 days.....	67 57
Samuel Schwartz.....	69 75
James A. Johnson.....	69 75
Thomas Dukelow.....	69 75
Patrick Hoctor, 28 days.....	65 24
George Smith.....	69 75
Louis Jesserer.....	69 75
Frank Vanue, 29 days.....	67 57
Michael Cam.....	69 75
William H. Burgess.....	69 75
Michael Hynes.....	69 75
Charles Wolf.....	69 75
Frank D. Fay, 28 days.....	65 24
George Hoffman.....	69 75
James P. Flynn.....	69 75
John Monaghan.....	69 75
John B. Davis.....	69 75
Henry D. Shove, 28 days.....	65 24
Michael Hoff, Jr.....	69 75
John M. Reis.....	69 75
Charles W. Peart.....	69 75
Louis Noid.....	69 75
Jerry Twaig, 28 days.....	65 24
Edward McDonough.....	69 75
Older Oliver, 20 days.....	46 60
John DeWitt.....	69 75
Joseph St. Hell.....	69 75
Ed. Rice.....	69 75
Peter Hess.....	69 75
Daniel Golding.....	69 75
Patrick Holoran, 29 days.....	67 57
Henry Gaven.....	69 75
Michael Hyland.....	69 75
Jacob Marky.....	69 40
B. Frank Enos, Clerk.....	116 67
B. Frank Enos, expenses to May 1.....	12 42
Payable to George D. Williams, Treasurer.....	
Examined and approved.....	

C. R. PARSONS,
FREDC. ZIMMER,
HENRY C. DANIELS,
Commissioners.

By Ald. Hart—Resolved, That the Police pay roll for the month of April, presented herewith, be and is declared valid and due and that the Clerk be instructed to endorse upon the same a certificate of the action of this board.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Ald. Weaver asked to be excused from voting.

Ald. Hebing objected.

By Ald. Edelman—Bill of Park Committee labor on parks, \$59.04. Referred to Park Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy from the Lamp Committee, Ald. Crouch from the Poor Committee, Ald. Mandeville from the City Property Committee, Ald. Chambers from the Contingent Expense Committee, and Ald. Edelman from the Park Committee, reported favorably on the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., May 20, 1878.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable:

CONTINGENT FUND.

James W. Kelly, weighing and measures \$ 22 50
A. S. Mann & Co., merchandise for surveyor.. 5 29
F. X. Masseth, hack hire..... 3 00
Joseph Corbin, serving notices..... 9 48
J. B. Perkins, survies..... 227 41
C. H. Stump, prin ing..... 2 00
O. H. Peacock, disbursements..... 13 18
W. I. Hanford, serving notices..... 3 25
Williamson & Higbie, stationery..... 21 56
D. T. Hunt, postage stamps, cards, &c..... 10 50
And charge that fund.

Resolved, That the following bills having been audited by the Poor Committee, they are

herby declared valid and due, and the City Clerk is authorized to endorse this action on the several accounts when requested so to do.

POOR DEPARTMENT FUND.

Geo. Bastian, bread.....	\$ 26 70
Geo. Oppel, ..	62 55
C. J. DeLand, ..	59 58
Buckley & Abbs, ..	26 45
D. E. Richter, ..	83 90
Johana Yawman, ..	59 25
Home of Industry, ..	60 65
John Bickel, ..	137 45
M. Yawman, ..	50 85
F. Kessel, ..	84 90
A. Heffner, ..	41 40
Geo. Elbs, ..	72 54
L. Klein, ..	147 55
S. Wheeler, rent ..	9 00
Weitzal & Niewarde, shoes ..	34 00
John Oetzal, ..	17 25
Leat & Weitzal, ..	28 00
Geo. M. Glessner, ..	68 50
John Hahn, ..	75 00
L. A. Wheeler, ..	100 00
Zegawitz & Fisher, ..	100 00
Williamson & Higbie, stationery ..	12 85
Henry Michaels, services to Excise Commis'n ..	125 00
Rochester Printing Co., daily paper ..	9 00
Express Printing Co., printing blanks ..	6 25
Joseph Schutte, Overseer's disbursements ..	55 95
John B. Hahn, flour ..	49 30
Geo. C. Maurer, beans ..	15 00
Joseph Schutte, beans ..	28 01
And charge that fund.	

CITY PROPERTY FUND.

F. J. Irwin, supplies ..	\$ 10 05
Rochester Gas Co.	107 00
E. Major, repairing boiler, urinals, &c.	21 23
E. Booth & Son, repairing clock, &c.	5 00
E. Emerich, repairing clock for M'ch and Ap'l ..	41 65
E. M. Doane, round top-table ..	1 50
Veytl & Bartholomew, repairing furniture ..	5 00
Wm. Carrol, repair in Treasurer's office ..	4 00
Geo. Engert & Co., coal for City Hall ..	28 00
F. Tallman, soap ..	4 00
F. J. Irwin, monthly cleaning ..	83 25
And charge that fund.	

LAMP DEPARTMENT FUND.

National Gas Co., repairing lamps ..	\$ 18 00
James S. King, painting and repairing lamps ..	50 00
And charge that fund.	

PARK FUND.

Park Committee, labor on park ..	\$ 59 04
And charge that fund.	

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Vay, Knobles, Hart—14.

By Ald. Hebing—

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

Your Law Committee, to whom was referred the petition of Mary Ann Hartman, claiming damages for the destruction of crops and vegetables growing on her premises, during the last three years, situate on the line of the outlet to North avenue sewer, in said city, would report:

That the committee have visited the premises in question, and find that the outlet to said sewer extends across the petitioner's premises, but not in a direct line; there being a sharp curve or bend in the same, which in high water retards the free flow of the same and causes it to dam up and flow over and across the land, instead of following the channel. Your committee deem it important to have the channel of said outlet straightened so as to run in a direct line across said premises.

The petitioner proposes to convey to the city the right to enter upon and construct a channel of sufficient dimensions in a direct line across said premises, to convey all of the water which may flow out of said sewer, and the perpetual right to enter upon said premises at any and all times, whenever necessary to clean

out, enlarge and deepen said channel to the proper dimensions for carrying of said water. She also agrees to release and discharge the city of and from all damages or claims for damages heretofore sustained by her in consequence of the overflow of said premises and the destruction of property by reason thereof, or otherwise, upon the payment to her by the city of the sum of \$150.

Your committee deem it advisable to accept of said proposition, and therefore offer the following resolution for the action of this Board.

Resolved, That the Clerk draw an order on the City Treasurer for the sum of \$150, payable to the order of Mary Ann Hartman, upon her executing and delivering to him a conveyance and release to the city, to be approved by the City Attorney, in accordance with her several propositions, herewith submitted, and charge the amount to the Contingent Fund.

All of which is respectfully submitted.

Dated May 20, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—14.

By Ald Hebing—

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

Your Law Committee hereby report that an action has been commenced and is now pending in the Supreme Court, wherein John B. Arkland is plaintiff and the city of Rochester is defendant, in which the plaintiff claims to recover \$5,500 damages, besides costs, for creating and maintaining an alleged nuisance by the city, in emptying the contents of Lake avenue sewer into Deep Hollow Creek, which flows close by the house in which plaintiff resides. He claims that the sewage, filth and refuse of a large territory of said city drained by said sewer pours down an open stream through said creek past his dwelling house, coating the bed of said creek with offensive slime and emitting noisome and malarial odors and gases, tainting and corrupting the atmosphere, whereby plaintiff, with his family, consisting of himself, wife and six minor children were sick with fever and other malarial diseases, caused by said sewer, and whereby he has been put to great expense in doctoring and taking care of his said family and has been deprived of their services for a long space of time. Your committee have made a personal examination of the premises, and from the most reliable information derived from the persons best acquainted with the facts, are satisfied that sickness has prevailed to quite a large extent in plaintiff's family, but from what cause your committee are unable to determine. The question as to whether or not the emptying of this sewer into said Deep Hollow creek creates a nuisance for which the city is liable, seems to have been judicially determined in the suit of Marsh against the city, decided at the last term of the Circuit Court held in this city, which decision was adverse to the city. The plaintiff, through his counsel, has submitted a proposition to the committee to compromise and settle the whole matter, including all damages and costs on the payment

to him of \$750. Your committee, after a careful investigation of the facts (while we do not admit that the city is in any way liable), yet in view of the uncertainty of litigations are of the opinion that it would be wise and judicious for the city to compromise and settle the claim on the terms proposed. The following resolution is therefore ordered for the consideration of the Board:

Resolved, That the clerk draw an order on the Treasurer for \$750, payable to Charles J. Powers attorney for John B. Arkland, on his delivering to said clerk a receipt executed by said Arkland, to be approved by the City Attorney, which shall be in full of all claims, damages and costs against the city growing out of the claim mentioned and set forth in said action.

All of which is respectfully submitted.
Dated May 20th, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Ald. Hebing moved that the report lie on the table until the next meeting. Adopted.

By Ald. Hebing—Resolved, That the Sewer Committee be, and are hereby requested to introduce an ordinance at the next regular meeting to construct a sewer to abate the alleged nuisance of Lake avenue outlet sewer at Deep Hollow. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—
OFFICE OF WATER WORKS AND FIRE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, May 20, 1879.

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

The Executive Board would respectfully report:

That they have visited and examined the outlet of the Lake avenue sewer, which discharges into Deep Hollow, and find that a necessity exists for extending the said sewer to the Genesee river.

It is the opinion of this Board that immediate action should be taken in order to save unnecessary cost and litigation.

Respectfully yours,

EZRA JONES,
Chairman of Ex. Board.

Ordered received, filed and published.

By the Clerk—

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., May 9th, 1879.

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

GENTLEMEN: In accordance with your resolution of May 8th, 1879, I enclose you herewith a statement of all moneys paid into this office by the Municipal Court, from its organization to date.

As regards the disposition of the funds, I would state that they have been credited to the Contingent Fund, as the salaries and expenses of the Court have been paid from that fund.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

STATEMENT of moneys paid to the City Treasurer by the Municipal Court, from August 2, 1876, to date: 1876.

Aug. 2.....	\$ 71 25
Sept. 2.....	70 00
Oct. 2.....	90 75
Nov. 2.....	92 70
Dec. 1.....	113 88

1877.	
Jan. 2.....	108 45
Feb. 2.....	90 10
March 1.....	102 40
April 3.....	185 72
May 1.....	89 15
June 2.....	138 72
July 3.....	156 27
Aug. 2.....	(\$4.79, \$195.13) 201 92
Sept. 1.....	197 80
Oct. 1.....	191 45
Nov. 1.....	190 42
Dec. 1.....	166 10
1878.	
Jan. 2.....	206 75
Feb. 1.....	198 50
March 1.....	154 15
April 1.....	141 39
May 1.....	213 40
June 1.....	182 40
July 1.....	176 05
Aug. 1.....	184 12
Sept. 2.....	151 46
Oct. 1.....	167 15
Nov. 1.....	182 50
Dec. 2.....	212 95
1879.	
Jan. 2.....	198 90
Feb. 1.....	190 45
March 1.....	173 75
April 1.....	271 05
May 1.....	292 20

\$5,526 82

Rochester, May 9, 1879.
GEO. D. WILLIAMS, Treasurer.
Ordered received, filed and published.

ROCHESTER, May 20th, 1879.
To the Honorable the Mayor and Aldermen of the city of Rochester:

GENTLEMEN—You are respectfully invited and requested to join in the procession which has been inaugurated by the veterans of the different organizations for the proper observance of Decoration Day. Line will be formed at 2 o'clock, p. m., and the services will probably be held at Franklin Square.

The veterans deem it very fitting that the city guardians should unite with them in this mark of respect to those who died that the nation might live. Very respectfully your obedient servant,
WM. L. MARKELL,
Secretary of Veterans Committee of Arrangements.

Ald. Mandeville moved that the invitation be accepted. Adopted.

To the Hon. Common Council:
GENTLEMEN—In accordance with section 29, revised city charter, I report the following named persons as having qualified and taken the oath of office:

Mount Hope Commissioner—Geo. H. Thompson.

Commissioners of Deeds—W. J. Da Lee, Wm. S. Brock, A. Meeker, I. H. Bishop.

Respectfully,
EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.
ACTION ON ORDINANCES.

OPENING A STREET FROM NORTH AVENUE TO NORTH STREET.

By Ald. Knobles—Resolved, That the City Surveyor ascertain and report to this Council the expense of opening a street from North avenue to North street, on the north side of lands belonging to the N. Y. C. & H. R. RR. Co.

Adopted.
The Surveyor submitted as such estimate \$3,000.
By Ald. Knobles—Resolved, That the following improvement is expedient, viz:

The opening of a street on the north side of property owned by the N. Y. C. & H. R. RR. Co., and extending from North street to North avenue, and the territory deemed necessary to be taken therefor is described as follows: A strip of land 50 feet in width to be taken from the north side of property owned by the N. Y. C. & H. R. RR. Co. and extending of the same width from North street to North avenue.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole ex-

pense thereof, and reported the same at \$3,000, which estimate is hereby approved.

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

All the territory within the following described boundaries: Beginning at the intersection of North avenue with the N. Y. C. & H. R. RR. Co. tracks; thence northerly along North avenue and including one tier of lots on the west side thereof to Channing street; thence westerly along Channing street and including one tier of lots on the south side thereof to a point opposite the west line of Hollister street; thence northerly along Hollister street and including one tier of lots on the west side thereof to Clifford street; thence easterly along Clifford street and including one tier of lots on the north side thereof to North avenue and Carter street; thence northerly along Carter street and including one tier of lots on the west side thereof to Norton street; thence easterly along Norton street to North avenue; thence southerly along North avenue and including one tier of lots on the east side thereof to a point opposite the center of Clifford street; thence easterly on the center line of Clifford st. produced to Miller street; thence southerly along Miller street and including one tier of lots on the east side thereof to Bay street; thence westerly along Bay street and including one tier of lots on the south side thereof to Sigel street; thence southerly along Sigel street and including one tier of lots on the east side thereof to German street; thence southerly along Philander street and including one tier of lots on the east side thereof to Syracuse street; thence westerly along Syracuse street and including one tier of lots on the south side thereof to North avenue; thence southerly along North avenue and including one tier of lots on the east side thereof to the N. Y. C. & H. R. RR. Co. tracks; thence westerly to the place of beginning.

And further, Resolved, That the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised City Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, June 3d, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING UNION STREET.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Union street, from East avenue to Monroe avenue during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$300.

By Aid. Wickens—Resolved, That the following improvement is expedient, viz:

The sprinkling of Union street, from East avenue to Monroe avenue, during the season of 1879.

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

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

One tier of lots on each side of Union street, from East avenue to Monroe avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, June 3d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING ANDREWS STREET.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Andrews street, from the River Bridge to North avenue, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$200.

By Aid. Wickens—Resolved, That the following improvement is expedient, viz:

The sprinkling of Andrews street, from the River Bridge to North avenue, during the season of 1879.

And whereas, The City Surveyor, under the direction of this Council has made an estimate of the whole expense thereof, and reported the same at \$200, which estimate is hereby approved:

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

One tier of lots on each side of Andrews street, from the River Bridge to North avenue.

And the Clerk is hereby directed to publish notice, in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, June 3d, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING NORTH AVENUE.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council, the expense of sprinkling North avenue, from East Main street to University avenue, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$160.

By Aid. Wickens—Resolved, That the following improvement is expedient, viz:

The sprinkling of North avenue, from East Main street to University avenue, during the season of 1879.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$160, which estimate is hereby approved.

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

One tier of lots on each side of North avenue, from East Main street to University avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., of section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend at the Common Council, on Tuesday evening, June 3d, 1879, at 7½ o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING PHELPS AVENUE.

By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Phelps avenue, from a point 100 feet west of Lake avenue, to the west line of Backus avenue, during the season of 1879.

Adopted.

The Surveyor submitted as such estimate \$125.

By Aid. Wickens—Resolved, That the following improvement is expedient, viz:

The sprinkling of Phelps avenue, from a point 100 feet west of Lake avenue, to the west line of Backus avenue, during the season of 1879.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$125, which estimate is hereby approved.

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

One tier of lots on each side of Phelps avenue, from a point 100 feet west of Lake avenue, to the west line of Backus avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, June 3d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,061.

SPRINKLING WEST AVENUE.

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

Sprinkling West avenue.

After hearing such allegations from all persons appearing,

Aid. Wickens submitted the following:

An ordinance to sprinkle West avenue from the Erie canal to York street.

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

The sprinkling of West avenue, from the Erie canal to York street, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$910, which estimate is hereby approved; and the portion of said city which improvement is described as follows:

One tier of lots on each side of West avenue, from the Erie canal to York street,

On which above described portion of the city the

expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:
Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

FINAL ORDINANCE—NO. 2,062.

OPENING A STREET THROUGH THE HAIR PROPERTY FROM GOODMAN ST. TO EAST MAIN ST.

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

Opening a street through the Hair property, from Goodman street to East Main street.

After hearing such allegations from all persons appearing—

Ald. Knobles submitted the following:

An ordinance to open a street through the Hair property, from Goodman street to East Main street.

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

The opening of a street through the Hair property from Goodman street to East Main street; and the property necessary to be taken therefore is described as follows, viz: A strip of land 60 feet in width lying easterly and northerly of and adjoining the following described line, viz: Beginning at a point on the south line of East Main street 84 feet east of the west line of the Hair property, thence southerly in a curved line to intersect with the southerly line of the said Hair property, thence easterly along the southerly line of the said Hair property to the west line of Goodman street. Reference being had to a map of said property in the City Surveyor's office.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$5,000, which estimate is hereby approved; 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 East Main street from Franklin street to the N. Y. C. & H. R. R. Co.'s property, excepting the property through which it is proposed to open the new street; also, the territory inclosed within the following described boundary lines: Commencing at the intersection of East Main street and Goodman street, thence northerly on Goodman street, and including one tier of lots on the west side thereof, to Bay street; also the lot on the northwest corner of Bay street and Goodman street; thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line; thence southerly along the city line to the northerly line of the N. Y. C. & H. R. R. Co.'s property; thence westerly along the northerly line of the N. Y. C. & H. R. R. Co.'s property to Goodman street; thence northerly on Goodman street to the place of beginning; also the property lying on the southerly side of the proposed street, known as the Wamsley property.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement, may pay their assessment in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount, within one year from the confirmation of such roll; and the remaining one-third within two years from the confirmation of such roll. On all sums paid prior to the maturity of said last installment, a discount will be allowed of seven per cent. per annum.

Ald. Hart presented a remonstrance.

The ordinance was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,063.

SPRINKLING PLYMOUTH AVENUE.

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

Sprinkling Plymouth avenue.

After hearing such allegations from all persons appearing—

Ald. Wickens submitted the following:

An ordinance to sprinkle Plymouth avenue, from the Erie canal to Troup street.

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

The sprinkling of Plymouth avenue, from the Erie canal bridge to Troup street, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$200, which estimate is

hereby approved; 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 Plymouth avenue, from the Erie canal bridge to Troup street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,064.

SPRINKLING SPRING STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Spring street, from Exchange street to Caledonia avenue.

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

The sprinkling of Spring street from Exchange street to Caledonia avenue, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$250, which estimate is hereby approved; 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 Spring street from Exchange street to Caledonia avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,065.

SPRINKLING MONROE AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An Ordinance to sprinkle Monroe avenue from Clinton street to Union street.

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

The sprinkling of Monroe avenue from Clinton street to Union street, during the season of 1879.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$200, which estimate is hereby approved; 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 Monroe avenue from Clinton street to Union street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for a stone sewer in Hunter street came up. Ald. Chambers moved that it be indefinitely postponed. Adopted.

FINAL ORDINANCE, NO. 2,066.

SPRINKLING PARK AVENUE.

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

The sprinkling Park avenue.

After hearing such allegations from all persons appearing—

Ald. Wickens submitted the following:

An ordinance to sprinkle Park avenue, from Alexander street to Goodman street, during the season of 1879.

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

The sprinkling of Park avenue, from Alexander street to Goodman street, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$175, which estimate is hereby approved; 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 Park avenue, from Alexander street to Goodman street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for the improvement of Hudson street came up. Ald. Edelman moved that it lie on the table two weeks. Adopted.

FINAL ORDINANCE NO. 2,067.

PLANK WALK ON EVERGREEN PLACE.

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

Plank walk on Evergreen Place.

After hearing such allegations from all persons appearing—

Ald. Wickens submitted the following:

An ordinance to construct a plank walk on Evergreen Place from the north line of Evergreen street to a point 139 feet north thereof.

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

The construction of a plank walk four feet wide on each side of Evergreen Place, from the north line of Evergreen street to a point 139 feet north thereof.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefitted thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$34 which estimate is hereby approved; 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 Evergreen Place, from the north line of Evergreen street to a point 139 feet north thereof.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.
Nays—None.

The final ordinance for plank walk on Violetta street was, on motion of Ald. Chambers, postponed two weeks.

The final ordinance for a plank walk on Mansion street was on motion of Ald. Chambers, postponed two weeks.

Ald. Edelman moved that the vote taken on the final ordinance for the improvement of Hudson street be reconsidered. Adopted.

FINAL ORDINANCE NO. 2,068.

THE IMPROVEMENT OF HUDSON STREET.

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

After hearing such allegations from all persons appearing—

Ald. Wickens submitted the following:

An ordinance to improve Hudson street, from the west line of North avenue to the north line of Channing street.

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

The improvement of Hudson street from the west line of North avenue to the north line of Channing street, by the construction of a McAdam pavement, with Medina stone curbs and gutters on each side thereof, leaving the roadway 26 feet wide between curbs. Also the necessary surface sewers, crosswalks, lot laterals and man-holes. To include also the cleaning of such portions of the main sewer as may be found to be necessary. The roadway to be located on the west side of the street, in order that room may be left for a street car track on the east side thereof. The sidewalks to be graded back from the curb stones to the lines of the flag or plank walks.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$18,000, which estimate is hereby approved. 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 Hudson street, from North avenue to the north line of Channing street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the taxpayers to be assessed for making such improvement, may pay their assessments in five equal payments, as follows:

One-fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of such roll; one-fifth within two years from the confirmation of such roll; one-fifth within three years from the confirmation of such roll; and the remaining one-fifth within four years from the confirmation of such roll. On all sums paid prior to the maturity of the last instalment, a discount will be allowed of seven per cent. per annum.

The ordinance was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance to open a street from Hastings street to Lake avenue came up. Ald. Chace moved that the matter be referred to the Committee on Opening and Alteration of Streets. Adopted.

MISCELLANEOUS BUSINESS.

By Ald. Crouch—Petition of J. W. Canfield for permission to erect a wood building, and moved that permission be granted. Adopted.

Ald. Chase moved that the rule and ordinance relating to the use of the City Hall be suspended during the time of the reconstruction of Corinthian Hall, under the supervision of the City Property Committee.

Ald. Otis moved that the matter be indefinitely postponed.

The motion of Ald. Chase was lost.

UNFINISHED BUSINESS.

The subject matter of the deposit of moneys in the city banks was, on motion of Ald. FitzSimons, postponed until the next meeting.

The penal ordinance in relation to railroads was, on motion of Ald. Otis, postponed until next meeting.

Ald. Otis gave notice that he would offer for adoption at the next regular meeting the penal ordinances relating to railroads, passed February 17, 1893.

By Ald. Crouch—Resolved, That the Mayor be and he is hereby directed to enter into contract with S. B. Stuart & Co., for 900 tons stove coal at \$2.57 per ton, and 700 tons chestnut at \$2.47 per ton, to be delivered in the city's yard on Hill streets and properly trimmed, according to their proposition; the same being the lowest bid received by the committee in answer to advertisements inserted in the daily papers.

Ald. FitzSimons moved to refer the matter back to the committee, with instructions to advertise for proposals for coal to be delivered from the city yard or yards of the several dealers. Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Mandeville, Vay, Wickens, Knobles, Hart—9.

Nays—Ald. Tracy, Crouch, Chambers, Chace, Edelman, Weaver—6.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., May 14th, 1879. }

M. H. FitzSimons, Chairman Finance Committee.

DEAR SIR—The amounts called for by the enclosed resolution should be provided for in the tax levy. They were omitted from the schedule prepared for your committee, as it

has not yet been necessary to borrow the money for the schools (their requirements having been temporarily met from other funds in the Treasury) and as no money has been paid upon the other resolution, neither item appeared upon the books of this office to be provided for. Yours respectfully,
 GEO. D. WILLIAMS, Treasurer.

CITY CLERK'S OFFICE }
 ROCHESTER, N. Y., May 10, 1879. }

In Common Council, Oct. 1st, 1872.

To the Common Council of the City of Rochester:

GENTLEMEN: Your Law Committee to whom was referred the communication from the Executive Board in relation to the large claim of Ellwanger & Barry, for damages caused by leakage from Mt. Hope reservoir, would report that your committee have duly investigated and considered said claim. The Executive Board recommend that the claim be settled by purchasing the land affected at the price of five hundred dollars per acre. Your Committee submit the following resolution for your action:

Resolved, That the Mayor be authorized to enter into a contract on the part of the city and under the corporate seal, with Messrs. Ellwanger & Barry, for the purchase of their land affected by leakage, as shown by the map now in the possession of the Executive Board, and for the full settlement of the claim heretofore made by Messrs. Ellwanger & Barry, the said claimants to agree to convey to the city a good and clear title to the said land and to give a release and discharge of all their said claim for damages, and the city to agree to pay to them at the rate of five hundred dollars per acre on or before the first day of August, 1879, with interest, and to be entitled to the immediate use and possession of the said land.

All of which is respectfully submitted,
 E. HUNTINGTON,
 Committee.

Adopted.

In Common Council, March 12th, 1879.

By Ald. Warren—Resolved, That in accordance with the provision of the act of the Legislature presented herewith the Treasurer is instructed to credit upon his books, the Board of Education with the sum of twenty thousand dollars and that he be and is hereby authorized to borrow upon the city's notes the said sum of twenty thousand dollars whenever the interests of the city may require such loan and charge discount to contingent fund.

The resolution was adopted by the following vote:

Ayes—Ald. Westbury, Herzberger, Warren, Crouch, Martin, Chace, Huntington, Donivan, Edelman, Smith, Knobles, Baetzel.
 Nays—Ald. FitzSimons.

A true copy from the minutes.
 EDWARD ANGEVINE, City Clerk.

EXECUTIVE BOARD
 OF THE CITY OF ROCHESTER,
 ROCHESTER, N. Y., May 9, 1879. }

Geo. D. Williams, Esq., City Treasurer:

DEAR SIR: By resolution of Common Council, dated Oct. 1st, 1879, the Mayor entered into contract on the part of the city with Ell-

wanger & Barry for purchase of land near Mt. Hope reservoir, as follows:

22 9-100ths acres land at \$500 per acre..... \$11,450
 Interest from Oct. 12, 1873, the date of contract, to Aug. 1st, 1879..... 448 43

Amount due Aug. 1st, 1879, as per contract...\$12,098 43

Respectfully,
 J. NELSON TUBBS,

Ald FitzSimons asked unanimous consent to have the various amounts attached to the tax levy. Adopted.

Ald. Fitz Simons presented the tax levy and moved that it be received and filed, and that the Clerk publish the same as provided by law. Adopted.

By Ald. FitzSimons—Resolved, That the amount set opposite the several funds in the schedule attached hereto be and are hereby adopted as the sums to be raised for such funds, and for the expenses of the city for the ensuing year, as provided in section 55, title 5, City Charter:

For lighting the city.....	\$ 55,240 00
For support of the police department.....	58,200 00
For general contingent expenses.....	40,000 00
For support and relief of the poor.....	40,000 00
For Board of Health.....	8,000 00
For support of common schools, viz: To lease, alter and improve school houses, their outhouses, and their appurtenances.....	\$ 5,000 00
For the purchase and improvement of sites, and to build and enlarge school houses.....	15,000 00
For wages of teachers and contin- gent expenses.....	100,000 00
	\$120,000 00
For erroneous assessments.....	2,572 19
For City Property Fund.....	5,000 00
For the care and maintenance of public parks.....	1,000 00
For the payment of notes given for deficiencies in the following funds:	
Poor Fund.....	\$ 10,000 00
Highway Fund.....	5,000 00
Lamp Fund.....	5,000 00
Stone Breaking.....	5,000 00
Board of Education.....	20,000 00
	45 000 00

For interest on bonded debt as follows:

SEVEN PER CENTS.

1 year on \$51,000, floating debt....	\$ 3,570 00
1 year on \$50,000, floating debt....	4,200 00
1 year on \$50,000, floating debt....	10 500 00
1 year on 15,000, Clarissa street bridge.....	1,050 00
1 year on \$14,186.13, Arsenal site..	993 02
One year on \$335,000, City Hall....	28,450 00
One year on \$125,000, Free Academy building.....	8,750 00
One year on \$15,000, Free Academy site.....	1,050 00
One year on \$5,000, Monroe ave. cemetery.....	350 00
One year on \$15,000, Monroe ave. school.....	1,050 00
One year on \$50,000, deficiency loan.....	3,500 00
One year on \$410,000, funding loan, 1875.....	28,700 00
One year on \$20,000, No. 5 school..	1,400 00
One year on \$3,182,000, water works.....	222,740 00
One year on \$600,000, R. S. & L. R. R.....	42,000 00
One year on \$150,000, R. N. & P. R. R.....	10,500 00

SIX PER CENTS.

One year on \$40,000, relief soldiers families.....	2,400 00
One year on \$25,000, Main street widening.....	1,500 00
One year on \$20,000, steam fire engines.....	1,200 00

Less amount of receipts to be
 turned over by Fire and Water
 Board..... 40,000 00

Total required to pay interest.... \$328,908 02
 of Fire and Water Board:
 For Fire Department Fund..... \$ 40,000 00
 For extension of water pipe..... 15,000 00
 For purchase of lands, res. C. C..... 12,668 43

For Executive Board, as per their requisition:

For the care and maintenance of streets and avenues, including street cleaning and repairs to sewers and bridges.....

16,200 08

8,000 00

For salaries of Commissioners..... \$ 22,200 08

67,093 43

that the report be indefinitely postponed. Adopted.

By Ald. Hebing—Resolved, That A. Langie have leave to erect a wooden building agreeable to his petition, under the direction of the Fire Marshal and Committee on Wood Buildings. Adopted.

Ald. Mandeville moved that the Clerk engross resolutions in regard to charter amendments recently passed and send them to our representative in Albany. Adopted.

By Ald. Mandeville—Resolved, That the City Clerk notify Mr. Vanderbilt, through his Chief Engineer, Charles H. Fisher, that the proposition heretofore presented by himself in relation to the construction of the iron bridge over the New York Central railroad at the Main street crossing is accepted, and he is requested to proceed with the work at his earliest convenience. Adopted.

By Ald. Edelman—Petition of property owners for pipe sewer in Ringlestein alley. Referred to Sewer Committee.

By Ald. FitzSimons—Resolved, That the Mayor be and he is hereby authorized and requested to enter into contracts in behalf of the city with the two gas companies for one year from the first day of January, 1879, to supply gas for street lighting and also for lighting the City Hall and the "Front Street Building" at a price not to exceed \$2 per one thousand feet, and that the amount of gas consumed by street lamps shall be computed by the size of the burners now in use, namely, 3½ feet per hour under a pressure that will maintain that consumption at each burner, and that the so-called Cleveland system or time-table of the American Meter Company be adopted instead of the present system; the companies to light, extinguish, clean and keep in repair all street lamps so supplied at an annual cost per lamp of not more than three dollars; the city to reserve the right to change the time-table by giving one week's notice—the city to reserve the right to discontinue the use, to remove or relocate any lamps as may be determined by the Common Council.

Ald. Chace moved as an amendment to insert old system instead of Cleveland system.

Ald. Hart moved to suspend the rule for 15 minutes. Adopted.

The motion of Ald. Chace was lost by the following vote:

Ayes—Ald. Crouch, Chace—2.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Chambers, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—12.

The resolution of Ald. FitzSimons was then adopted.

Ald. Hart moved that the Board proceed to ballot for Commissioner of Deeds, and moved that the Clerk cast the ballot.

The following named persons, having received the requisite number of votes, were declared duly elected Commissioners of Deeds: J. W. Kimball, Peter G. Siner, Geo. W. Lamb, Henry Loche.

The Board then adjourned.

EDWARD ANGEVINE, City Clerk.

By Ald. Crouch—Resolved, That the Rochester Steam Heating and Power Company be, and it is hereby allowed to lay its pipes for the purpose of conveying steam in, through, and under the public streets, alleys and bridges of this city. Such work to be done under the supervision of the Executive Board.

And upon the said company's furnishing a satisfactory bond in the penalty of \$10,000, to be approved by the Mayor, protecting the city against any damages or claims for damages that may arise during such work or in consequence thereof, or in the use of said pipes.

That the compensation to be paid to the city for the privileges herein granted shall be, and the same is hereby fixed at fifty dollars per mile of main pipe, to be paid from time to time as such work progresses, and as each mile is completed. Adopted.

EXECUTIVE BUSINESS.

Ald. Hart moved that the Board proceed to ballot for Police Commissioner. After balloting several times, there being an excess each time, Ald. Mandeville moved to suspend balloting. Adopted.

By Ald. FitzSimons—Resolved, That a vote of thanks be extended to our Senator and Members of Assembly, for the promptness with which, as soon as their attention was called to the character of the amendment to the Water Works law lately passed, they prepared and procured to be passed, a bill correcting and undoing the wrong. Adopted.

By Ald. Chambers—

Resolved, That our representatives in Senate and Assembly be and they are hereby requested to withdraw the bill now before the Governor restricting the expenditures for the extension of water mains, in order that the same may be amended so as to provide that the Water Works and Fire Board shall not expend for water pipe extension, in any one year, an amount of money exceeding the balance of receipts after the expenses for the care and maintenance of the works shall have been paid.

Resolved, That a certified copy of the foregoing resolution be forwarded at once by the clerk of this Board to our representatives in the Senate and Assembly.

By Ald. Otis, as a substitute—

Whereas, An amendment to the city charter was passed by the Legislature of the State of New York May, 16th, 1879, and is now in the hands of the Governor awaiting his signature; therefore,

Resolved, That we hereby approve of the charter amendment as passed and respectfully ask his Excellency, the Governor to approve of the same.

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—11.

Nays—Ald. Crouch, Chambers, Chace, Edelman—4.

Ald. Hebing rose to a question of privilege in regard to the petition of A. Langie for permission to erect a wood building, and moved

In Common Council, May 27, 1879.

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, N. Y., May 26, 1879. }

Edward Angevine, Esq., City Clerk :

Please call a special meeting of the Common Council for to-morrow (Tuesday) evening, May 27th. Subject, consideration of the tax levy and other business.

CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

Ald. Hart moved that the several items in the Tax Levy be taken up separately.—Adopted.

Ald. Otis moved that the amount presented for the Lamp Fund be adopted, viz., \$55,240.

Ald. Westbury moved that the amount be fixed at \$70,000.

Ald. Westbury asked leave to offer a resolution. Objected to.

The amendment of Ald. Westbury was lost by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman—7.

Nays—Ald. Fitz Simons, Otis, Warren, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—9.

The motion of Ald. Otis was then adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Nays—Ald. Westbury.

Ald. Warren in the chair.

Police Fund, \$58,200.

Ald. Hebing moved to amend to make the amount \$65,000.

Declared by the President to be lost by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

Nays—Ald. Fitz Simons, Otis, Warren, Mandeville, Wickens, Weaver—6.

Ald. Hart appealed from the decision of the President.

The President stated the question to be, "Shall the decision of the President stand as the decision of the Board?"

Lost by the following vote :

Ayes—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—8.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Knobles, Hart—8.

The original amount as amended, viz., \$65,000, was adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—9.

Nays—Ald. Fitz Simons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

On motion of Ald. Otis the amount presented for the Contingent Expense Fund was adopted, viz., \$40,000.

14

Ald. Otis moved that the amount named for the Support and Relief of the Poor be adopted, viz., \$40,000.

Ald. Crouch moved as an amendment that the amount be \$50,000. Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Wickens, Edelman—8.

Nays—Ald. Fitz Simons, Warren, Hebing, Mandeville, Vay, Weaver, Knobles, Hart—8.

The original motion was then adopted.

The balance of the funds down to the amount appropriated for the Park Fund, as presented by the Finance Committee, were adopted.

Ald. Edelman moved to make the amount for the Park Fund \$2,000. Lost by the following vote :

Ayes—Ald. Crouch, Chace, Edelman, Knobles, Hart—5.

Nays—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Weaver—10.

The original motion was then adopted, viz. : \$1,000.

The balance of the tax levy was adopted, with the exception of the appropriation for water pipe extension, which, on motion of Ald. Mandeville, was made \$35,000.

Ald. Tracy moved that the tax levy be adopted as amended.

Ald. Weaver moved that ten thousand dollars be transferred from the Police to the Poor Fund.

Ald. Otis moved as a further amendment that the sum to be thus transferred be \$6,800. Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Edelman—8.

Nays—Ald. Fitz Simons, Warren, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—8.

The amendment of Ald. Weaver was lost by the following vote :

Ayes—Ald. Fitz Simons, Otis, Warren, Mandeville, Wickens, Weaver—6.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

Ald. Hart moved that the tax levy as amended be finally adopted.

Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Wickens, Weaver—7.

Ald. Tracy moved to transfer \$6,000 from Police Fund to Poor Fund.

Ald. Chace moved to strike out from the Police Fund \$6,000, which Ald. Tracy accepted as his motion.

Ald. Otis moved that the amount to be stricken out be \$10,000.

Lost by the following vote :

Ayes—Ald. Fitz Simons, Otis, Warren, Mandeville, Wickens, Weaver—6.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

The motion of Ald. Tracy was adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville—4.

Ald. Hart moved that the tax levy be adopted.

The following is the Tax Levy as adopted by the following vote :

Resolved, That the amounts set opposite, the several funds in the schedule attached hereto be and are hereby adopted as the sums to be raised for such funds, and for the expenses of the city for the ensuing year, as provided in section 85, title 5, City Charter :	
For Lighting the City.....	\$55,240 00
For Support of the Police Department.....	59,000 00
For General Contingent Expenses.....	40,000 00
For Support and Relief of the Poor.....	40,000 00
For Board of Health.....	8,000 00
For Support of Common Schools, viz. : To lease, alter and improve school houses, their outhouses, and their appurtenances.....	\$5,000 00
For the Purchase and Improvement of Sites, and to Build and Enlarge School Houses.....	15,000 00
For Wages of Teachers and Contingent Expenses.....	100,000 00
For Erroneous Assessments.....	2,572 19
For City Property Fund.....	5,000 00
For the Care and Maintenance of Public Parks.....	1,000 00
For the Payment of Notes Given for Deficiencies in the following Funds :	
Poor Fund.....	10,000 00
Highway Fund.....	5,000 00
Lamp Fund.....	5,000 00
Stone Breaking.....	5,000 00
Board of Education.....	20,000 00
	45,000 00
For Interest on the Bonded Debt as follows :	
SEVEN PER CENT.	
1 year on \$51,000, Floating Debt.....	3,570 00
1 year on \$60,000, Floating Debt.....	4,200 00
1 year on \$150,000, Floating Debt.....	10,500 00
1 year on \$15,000, Clarissa street Bridge.....	1,050 00
1 year on \$14,136.13, Arsenal site.....	995 02
1 year on \$385,000, City Hall.....	23,450 00
1 year on \$125,000, Free Academy Building.....	8,750 00
1 year on \$15,000, Free Academy site.....	1,050 00
1 year on \$5,000, Monroe Avenue Cemetery.....	350 00
1 year on \$15,000, Monroe Avenue School.....	1,050 00
1 year on \$50,000, Deficiency Loan.....	3,500 00
1 year on \$410,000, Funding Loan, 1875.....	28,700 00
1 year on \$20,000, No. 5 School.....	1,400 00
1 year on \$3,184,000, Water Works.....	222,740 00
1 year on \$600,000, R. and S. R. R.....	42,000 00
1 year on \$150,000 R., N. & P. R. R.,.....	10,500 00
SIX PER CENTS.	
1 year on \$40,000, relief soldiers' families.....	2,400 00
1 year on \$25,000, Main st. widening.....	1,500 00
1 year on \$20,000, steam fire engines.....	1,200 00
	368,908 02
Less amount of receipts to be turned over by Fire and Water Board.....	40,000 00
Total required to pay interest.....	328,908 02
For Fire and Water Board :	
For Fire Department Fund.....	40,000 00
For extension of water pipe.....	35,000 00
For purchase of lands, res. C. C.....	12,088 43
	87,088 43
For Executive Board, as per their requisition :	
For the care and maintenance of streets and avenues, including street-cleaning and repairs to sewers and bridges.....	46,200 00
For salaries of Commissioners.....	6,000 00
	52,200 00
Total.....	\$844,008.64

Ayes—Ald. Tracy, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. FitzSimons, Warren, Mandeville.

By Ald. Westbury—Petition of E. S. Hudstrom to erect a wood building. Referred to the Wood Building Committee and Fire Marshall.

By Ald. Westbury—

Resolved, That the Mayor be and he is hereby authorized and requested to enter into contract in behalf of the city with the gas companies for one year from the first day of January 1879, to supply gas for street lighting under the all night and every night system, and that the amount of gas consumed by the street lamps shall be computed by the size of the burners now in use, namely $3\frac{1}{2}$ feet per hour under a pressure that will maintain that consumption at each burner, the company to light, extinguish, clean and keep in repair all street lamps so supplied at a price not to exceed \$25 per year per lamp. Also for lighting the City Hall and Front street building at a price not to exceed \$1.63 per thousand feet, the city to reserve the right to change the time table by giving one week's notice ; the city to reserve the right to discontinue the use, to remove or re-locate any lamp that may be determined by the Common Council.

Ald. Westbury moved that the resolution lie on the table until the next meeting. Adopted.

By Ald. Westbury—Resolved, That his Honor, the Mayor, be requested to report to this Board, at its next meeting, the number of street lamps reported to have gone out each night of this current month before the contract time for extinguishing, giving separate statement as to the gas lamps on each side of the river, naphtha lamps and kerosene lamps. Adopted.

By Ald. Hebing—Resolved, That the use of the City Hall be granted the Rochester Mannerchor on the evening of July 14th, 1879. Adopted.

OFFICE OF THE AMERICAN DISTRICT }
TELEGRAPH, 11 ARCADE,
ROCHESTER, N. Y. May 29, 1879. }

To the Hon. Common Council :

GENTLEMEN ; We desire to erect telegraph poles in some of the streets and alleys of this city, said poles to be used for telephone wires.

We respectfully ask you to grant us the privilege.

Yours respectfully

GEO. A. REDMAN,

Sup't American District Telephone Exchange.

Ordered received filed and published.

By Ald. Otis—Resolved, That the American District Telephone Exchange have permission, in accordance with their petition, to erect poles under the direction and supervision of the Executive Board. Adopted.

By Ald. FitzSimons—Resolved, That the Mayor be and he is hereby authorized and requested to contract on behalf of the city with the proprietors of the Daily Union and Advertiser to publish the proceedings of the Common Council, Executive Board and the Fire and Water Board, at a price not to exceed \$2,700.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Warren, Crouch, Chambers, Chase, Mandeville, Edelman, Hart—9.

Nays—Ald. Westbury, Otis, Hebing, Wickens, Weaver, Knobles—6.

Ald. Otis moved that the Printing Committee be authorized to receive proposals from the

Democrat and Chronicle to publish ordinances, notices, &c. Adopted.

By Ald. Crouch—Resolved, That the Park Committee be instructed to improve Wadsworth Park by enclosing it with a railing similar to the one in front of the City Hall, and charge the expense of the same to the Park Fund. Adopted.

By Ald. Otis—Resolved, That the Police Commissioners be and are hereby authorized to appoint Samuel N. Chapman as a special policeman of the city of Rochester, without pay from the city, with full powers and immunities, subject to the rules and regulations established by the Police Board of said city, to do duty at Carthage, Brewer's Dock and Buell's Landing. Adopted.

Ald. Crouch, from the Poor Committee, reported the following bids received for coal:

	Stove.	Chestnut.
Delaware & Hudson Canal Co.....	\$3 20	\$3 20
Watters & Doyle.....	3 10	3 05
C. H. Babcock.....	3 04	3 00
H. H. Babcock.....	3 09	3 00
C. A. Phillips & Co.....	3 05	3 05
Stuart & Co.....	3 23	3 15
Stuart & Co., from city yard.....	2 57	2 47

Ald. Fitz Simons moved that the Mayor be authorized to enter into contract with C. H. Babcock, to furnish 1,500 tons of coal in accordance with the terms of their bid. Adopted.

By Ald. Mandeville—Resolved, That the Clerk draw an order on the Treasurer for one hundred dollars, in favor of Col. Wm. H. Benjamin, Col. Wm. L. Markell and Thomas J. Hurley, the same being to aid the veteran soldiers in defraying the expenses of Decoration Day.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Warren, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. Otis, Hebing—2.

By Ald. Wickens—Petition for a plank walk in Cayuga Place.

Referred to the Improvement Committee.

By Ald. Knobles—Petition of Geo. P. Draper in regard to taxes.

Referred to the Assessment Committee.

By Ald. Hart—Whereas, The Map, Survey and Record Committee of the Common Council of the year 1876, made appointments of assistants in the City Surveyor's office to take effect from the 1st day of May, 1876, with the understanding that such assistants should hold office for the term of one year, and

Whereas, The Common Council at their meeting on April 24th, 1877, and their meeting on April 16th, 1878, made appropriations, to take effect from the 1st of May following said meeting, said appropriations being to pay the assistants in said office, and

Whereas, The assistants have always been regularly appointed on May 1st with the understanding that said appointments were for the term of one year, therefore,

Resolved, That the City Clerk draw orders on the City Treasurer in favor of William C. Gray, for \$16.66, Charles B. Parsons, for \$16.66 and William J. Stewart for \$10.00, being the difference in what they were paid, and the regular amount of their salary for the month of April, 1879, and charge appropriation made for assistants in said office, which appropriation was made from the Contingent Fund, there being funds applicable.

Ald. Fitz Simons moved to lay the resolution on the table.

Ald. Otis moved that the Board adjourn.
Adopted. EDWARD ANGEVINE,
City Clerk.

In Common Council, June 3, 1879.

REGULAR MEETING.

Present.—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Chace, President of the Board, presiding.

The minutes of the previous meeting were approved as published.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Tracy—Bills of—

Citizens Gas Co., gas and care of lamps, May.. \$1,640.51
Rochester Gas Co., gas .. 1,621.76

Referred to Lamp Committee.

By Ald. Otis.

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

The undersigned respectfully represent that they desire some suitable room in which to hold business meetings. They now occupy a portion of the Mayor's office by the courtesy of that gentleman and have no place for the proper security of the books and papers necessary for the transaction of their business. We would respectfully call your attention to the matter.

V. M. SMITH,
P. W. TAYLOR,
EDWARD E. BAUSCH,
Excise Commissioners.

Dated, ROCHESTER, June 3rd, 1879.

Ordered received, filed and published.

By Ald. Otis—Resolved, That the City Property Committee be and is hereby authorized to furnish a suitable room for the use of the Excise Commissioners in accordance with the prayer of their petition. Adopted.

By Ald. Warren—Petition of Catherine Strub for damages. Referred to Law Committee.

By Ald. Warren—Petitions of Fee Bros. and Martin Qualtrough for the erection of wood buildings, and moved that permission be granted. Adopted.

By Ald. Hebing—Bill of—

A. G. Wheeler, disbursements.....\$23.50

Referred to Contingent Expense Committee.

By Ald. Crouch—Bills of

Johanna Yawman, bread.....	\$ 30 70
Geo. Schofield, transportation.....	83 60
Wm. Punch, burials.....	12 00
Elizabeth Madden, rent.....	10 00
Joseph Schutte, Overseer's disbursements.....	77 35
Smith, Perkins & Co., groceries.....	85 89
Home of Industry, bread.....	24 05
Mensing & Stecker, printing for Ex. Com's.....	60 00
F. C. Glasser, shoes.....	35 00
John Groh.....	87 65
N. L. Brayer, meat.....	50 00
Geo. Zimmer.....	25 00
John Schwingler, bread.....	135 95
O. Oswald, shoes.....	25 25
O'Kane Bros., meat.....	50 00
Wm. Beaumont, meat.....	50 00

Referred to Poor Committee.

By Ald. Chambers—Bills of

James Butler, hack hire.....	\$ 4 50
W. I. Hanford, serving notices.....	6 00
E. Angevine, expenditures.....	25 00
Joseph Corbin, serving notices.....	4 52
Leary & Co., refreshments, C. C.....	17 00

Referred to Contingent Expense Committee.
By Ald. Chambers—Petitions of Frances Yack and W. M. Bingham for the erection of wood buildings. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Mandeville—Bills of
Roch. Gas Co., gas, City Hall and Front street building.....\$ 143 95
Rogers & Converse, carpets..... 181 29
Hotchkln Bros., ice, City Hall..... 30 58
Thos Buckley, expenditures..... 32 00

Referred to the City Property Committee.
By Ald. Mandeville—Resolved, That W. C. Coup have permission to exhibit his new united shows in this city on paying into the Treasury the sum of twenty-five dollars. Adopted.

By Ald. Mandeville—Resolved, That the City Attorney be and he hereby is authorized and requested to institute the proper and necessary proceedings to close Goodman street in this city where it crosses the New York Central and Hudson River Railroad track, and also such other proceedings as may be necessitated by virtue of the propositions submitted to the Common Council by Mr. Vanderbilt. Adopted.

By Ald. Mandeville—Petition of Duncan McPherson for the use of the City Hall, and moved that the prayer of the petitioner be granted.

Ald. Otis moved that the matter lie on the table.

Ald. Crouch moved as an amendment that it be indefinitely postponed.

Lost by the following vote :

Ayes—Ald. Otis, Warren, Crouch—3.

Nays—Ald. Tracy, FitzSimons, Westbury, Hebing, Chambers, Chace, Mandeville, Vay, Edelman, Weaver, Knobles, Hart—12.

The original motion was then adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. Otis, Warren, Crouch—3.

By Ald. Mandeville—

ALBANY, May 26th, 1879.

E. Angevine, Esq., City Clerk :

DEAR SIR: I am in receipt of your letter notifying me of the acceptance of the proposition made in behalf of the New York Central and Hudson River Railroad Company to construct a bridge over its tracks on New Main street, and requesting that the work may commence promptly.

I am prepared to go on with it whenever the proper legal measures have been taken by the Council to close Goodman street and narrow New Main street, as indicated in the proposition submitted. Until these steps are perfected, I do not feel justified in doing anything more than to get everything in readiness for a commencement, as I am advised that other proceedings than a mere resolution of the Council are required to change existing streets.

Yours respectfully,

CHAS. H. FISHER,

Chief Engineer N. Y. C. & H. R. R. R.

Ordered received, filed and published.

By Ald. Vay—Petition for water pipe on Sherman street. Referred to Water Works Committee and Fire Board.

By Ald. Edelman—Petition for water pipe in Helena street. Referred to Water Works Committee and Fire Board.

By Ald. Edelman—Bill of

M. Culver, trees.....\$ 33 00

Referred to the Park Committee.

By Ald. Hart—Bill of

B. McFarlin.....\$ 82 28

Referred to Law Committee.

By Ald. Hart—Resolved, That the Executive Board be requested to repair the sewer on Pennsylvania avenue. Adopted.

By Ald. Hart—Bills of

Hotchkln Bros., ice.....\$ 36 52
Alex. McLean, expenses for March..... 73 57
April..... 45 35

Referred to Poor Committee.

By Ald. Hebing—Remonstrance of taxpayers against the improvement of Hudson street.

Ald. Warren moved that it lie on the table. Adopted.

By Ald. Westbury—Petition of Hugh Devitt for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Westbury—Remonstrance against the erection of a wood building by E. L. Hedstrom. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Westbury—Remonstrance against a nuisance in Front street, of Brown and De Vos. Referred to Board of Health.

By Ald. Chace—Petition for water pipe in Thompson street. Referred to Water Works and Fire Board.

By Ald. Chace—Petition of E. Merriam for permission to erect a wood building. Referred to Wood Building Committee and Fire Marshal.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee ; Ald. Crouch, from the Poor Committee ; Ald. Chambers, from the Contingent Expense Committee ; Ald. Edelman, from the Park Committee ; Ald. Hart, from the Police Committee ; Ald. Mandeville, from the City Property Committee, reported favorably on the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Vay—Resolved, That Casper Lintz, Lewis Amering, W. B. Bary, Concordia Prustics, G. H. Jones, Andrew S. Angell, Henry G. Sauer, James S. Tripp, Mr. Parsons and Michael Basil have permission to erect wood buildings, in accordance with their several petitions, under the direction of the Wood Building Committee and Fire Marshal.—Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester :

Your Law Committee hereby report that at a meeting of the committee, held June 2, 1879, the Rochester Savings Bank, by Edward Harris, its attorney, appeared before the committee and presented a statement, showing that the Savings Bank had recently bid in several parcels of land at foreclosure sales by it. That there are unpaid taxes to quite a large amount against this property, some of which have been standing for several years, and it is claimed by the attorney of the bank that a considerable portion of said taxes were illegally assessed and the city cannot enforce a collection of the same. With the view of compromising and settling the whole matter, the committee offer the following resolution :

Resolved, That the Law Committee be and they hereby are authorized and empowered to compromise and settle all unpaid taxes due the City of Rochester assessed upon property now owned by the Rochester Savings Bank upon such terms as they may deem for the best interests of the city.

All of which is respectfully submitted.
Dated June 3d, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Adopted.

By Ald. Hebing—

To the Hon. the Common Council:

Your Law Committee would report in the matter of certain taxes, claimed to be invalid by A. Gardiner, as mortgagee, and presented to them by the Treasurer, would offer the following resolution:

Resolved, That the Treasurer be instructed to cancel all claims for unpaid taxes or assessments prior to a lease given by the city, for the General City Tax for 1867, upon lots 11 and 10 Chestnut street, 4th Ward.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester:

Your Law Committee, to whom was referred the petition of Anna Gleason claiming damages against the city for neglecting to keep the sidewalk on East Main street free from snow and ice, whereby she slipped, fell and broke her arm, would report that we, with the members of the Executive Board, have carefully investigated the facts in this case and find that early on the morning of the 27th of January last the petitioner, while crossing Gibbs on the crosswalk, on the south side of East Main street, slipped, fell and broke her arm at the wrist.

It appears there had been a heavy fall of snow just prior to the accident, and there was a beaten path on this crosswalk. Shortly before the accident, men in the employ of the city, partially removed the snow and ice from off this crosswalk, leaving this beaten path, which formed a ridge in or near the centre of the walk.

The lady, very early on the morning in question, while on her way to work, accidentally stepped on this ridge of snow, slipped, fell and received the injury complained of. She was laid up for several weeks and was attended by a physician and a surgeon, whose charge for his services amounted to \$50. She is willing to accept \$100 from the city, in full of all claims for damages growing out of the accident.

While there may be serious doubts about her being able to establish the liability of the city, yet in view of all the circumstances connected with the case the Committee are of the opinion that it is prudent for the city to accept of her offer and therefore offer the following resolution for the action of this board:

Resolved, That the Clerk draw an order on the Treasurer for \$100 payable to the order of Anna Gleason on her executing and delivering to him a release to be approved by the City Attorney releasing the city of and from all damages growing out of said accident and charge

contingent fund.

All of which is respectfully submitted.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Dated June 3rd, 1879.

Adopted by the following vote:
Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Ald. Tracy in the chair.

By Ald. Warren—

To the Common Council:

GENTLEMEN.—Your Assessment Committee to whom was referred sundry matters, after consideration of them offer the following resolutions and recommend their passage:

Resolved, That the matters of J. C. Jordan and G. P. Draper be referred to the Law Committee and City Attorney to report to this Board.

Resolved, That the Treasurer cancel the assessment against S. Seaman for So. Clinton street sprinkling (100 feet) 1878, upon the property included in the E. and W. Main street sprinkling assessment rolls. Also the assessment against Asbury Church for the same 100 feet opposite.

In the Matter of May Griffin the Committee report adversely.

Resolved, That the Treasurer cancel \$6.68 of the assessment against Sebastian Schubart for Lyell street and charge erroneous assessments. Adopted.

By Ald. Warren—Resolved, That the Assessment and Law Committees of this board be and they hereby are authorized and empowered to compromise and settle the alleged claim of Henry S. Redfield to the fee of the land upon which the piers and approaches to Vincent Place bridge now stand; and also the claim of the city against said Redfield for unpaid taxes assessed upon property formerly owned by David F. Worcester and wife, and now owned by said Redfield, upon such terms as they may deem for the best interest of the city. Adopted.

Ald. FitzSimons from the Finance Committee presented the following estimates from the several committees.

BOARD OF EDUCATION.

Special Meeting, May 6th, 1879.

Present—Coms. Sully, Kingsley, Williams, Noyes, Jones, Westcott, Kase, Martens, Cork, Dickinson.

Absent—Coms. Brown, Wray, Tait, Weldon, Whitmore, and Brayer.

President Noyes in the chair.

The chairman stated the object of the meeting to be to receive a report from the Finance Committee, and to certify to the Common Council the amount of money necessary for the support of the schools for the ensuing year that the estimate may be included in the tax levy, which should be presented to the Common Council this evening by their Finance Committee.

Com. Martens from the Finance Committee presented the following:

To the Honorable the Common Council:

GENTLEMEN—Your Committee on Finance, after a careful consideration of the subject,

would recommend that this Board certify to the Common Council, pursuant to section 142 of the city charter, that the following sums will be required, and are necessary and proper for school purposes, and would therefore ask an appropriation for the same, viz :

For teachers wages and contingent expenses. \$100,933 30
For building purposes..... 15,000 00
For repairs to school buildings..... 5,000 00

The sum of \$100,933.30 being \$13 per capita, based on the average daily attendance of resident pupils of the city for the year ending May 1, 1879, according to the sworn statement of such average daily attendance made by the Superintendent from the verified monthly reports of the principals of said schools and submitted herewith.

This is in accordance with the recent act of the Legislature changing the mode of raising money for the support of our public schools.

The schools are increasing in attendance. A new school seems to be imperatively demanded to relieve schools numbers 22, 18, 9 and 20, Repairs and additions are necessary for number 4 and other schools from their overcrowded condition. These will require new teachers and increased contingent expenses.

The above estimate is made on the lowest terms, and after deliberation we cannot see that it can be diminished. We would therefore offer the following :

Resolved—That the Board of Education of the City of Rochester, do hereby determine and certify to the Common Council of said city that the sums necessary and proper to be raised, pursuant to sections 140 and 142 of the present city charter as amended by the recent act of the Legislature, for the ensuing year are as follows viz :

To pay the wages of teachers and to defray the contingent expenses of the common schools.....\$100,933 30
To purchase and improve sites and build or enlarge schools..... 15,000 00
To lease, alter, repair and improve school houses and their out-houses and appurtenances..... 5,000 00
Total.....\$120,933 30

Respectfully submitted,
W. G. MARTENS,
DARRELL D. SULLY,
CHARLES M. WILLIAMS,
NICHOLAS KASE,
H. A. KINGSLEY,
M. NOYES,
Committee.

ROCHESTER, N. Y., May 6, 1879.

On motion of Com. Cork the report and resolution were adopted.

Com. Williams moved that the Clerk of this Board be instructed to furnish the City Clerk with a copy of the foregoing. Carried.

On motion of Com. Jones the Board then adjourned. A. L. MABBETT, Clerk.

By the Clerk—

OFFICE OF EXECUTIVE BOARD,
ROCHESTER, N. Y., May 3, 1879. }

To the Honorable the Common Council :

GENTLEMEN: Inasmuch as the Common Council recommended last season that the bed of the river be cleaned of loose stone and debris, the Executive Board takes this occasion to suggest that if the Common Council purpose recommending any such undertaking this season it will be necessary to make an appropriation of at least \$3,000 for the purpose.

THOS. J. NEVILLE, Clerk.

OFFICE OF WATER WORKS AND FIRE
BOARD, CITY HALL,
ROCHESTER, May 5, 1879. }

To the Common Council of the City of Rochester :

In accordance with the provisions of chapter 190 of the laws of 1879, the Water Works and Fire Board respectfully submit the following estimate of the amount necessary to be raised by tax for the funds under their charge as follows :

For "Water Pipe Fund," for the extension of the water mains of the Hemlock Lake system, thirty-five thousand dollars (\$35,000.)

For "Fire Department Fund," for operating and maintaining the Fire Department, forty thousand dollars (\$40,000.)

The amount raised for this fund in the year 1878 was \$30,000, there being at the time the requisition was made an unexpended balance of a previous appropriation.

C. C. WOODWORTH,
V. FLECKENSTEIN.
POLICE FUND.

1 Chief.....\$ 1,581 00
11 Detectives and Roundsmen..... 10,434 60
70 police, each \$37..... 58,590 00
1 Captain..... 1,227 60
1 Clerk..... 1,400 04
1 Janitor..... 730 00
2 Commissioners..... 1,000 00
Police Justice..... 2,000 00

Clerk's disbursements.....\$76,938 24
Chief's disbursements.....\$240 00
Medical services..... 1,300 00
Ice bill..... 150 00
Printing..... 300 00

\$79,088 24
OFFICE OF EXECUTIVE BOARD,
ROCHESTER, May 3, 1879. }

To the Common Council :

At a meeting of this Board held this day, among other proceedings, were the following :

Moved by Mr. Jones and unanimously—

Resolved, That in pursuance of an act to amend chapter 143 of the laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, as amended March 1, 1876," the Clerk of this Board be and he is hereby directed to certify to the Common Council the following statement of funds which the Executive Board deem will be required for the current fiscal year in the discharge of the duties of their office :

For cleaning streets.....\$18,000
For repairing streets..... 18,000
For cleaning and repairing sewers..... 6,000
For repairing bridges and lumber for same.... 5,000
For cleaning and repairing avenues in accordance with section 35 of the charter, as amended by section 28 of the act of May 20, 1872..... 4,200
For salaries of Members of the Executive Board..... 6,000

Total..... 51,200

Attest. THOS. J. NEVILLE,
Clerk of Executive Board.

OFFICE OF THE BOARD OF HEALTH,
Rochester, May 5th, 1879. }

To the Finance Committee of the Common Council :

GENTLEMEN: The Board of Health have made a careful estimate of the amount needed for its purposes for the fiscal year 1879 and 1880. This amount is twelve thousand dollars (\$12,000.) This sum is absolutely needed by the

Board of Health to enable it to properly discharge its duties, no matter how economically expended, and any less sum will compel the Board to incur liabilities beyond its ability to pay or to refrain from performing some of the duties required by law or expected of it by our citizens. Respectfully submitted,

J. NELSON TUBBS,
E. HUNTINGTON,
Special Committee Board of Health.

To the Finance Committee:

GENTLEMEN: Your City Property Committee after a careful estimate, report the amounts needed to be placed to the credit of the City Property Fund in the tax levy, is \$6,000.

WESLEY MANDEVILLE
J. J. HART,
HENRY HEBING,
Committee.

By Ald. FitzSimons—

Resolved, That the amounts set opposite the several funds in the schedule attached hereto be and are hereby adopted as the sums to be raised for such funds and for the expenses of the city for the ensuing year, as provided in section 85, title 5, City Charter:

Table with 2 columns: Description of fund and Amount. Includes items like 'For Lighting the City', 'For Support of the Police Department', 'For General Contingent Expenses', 'For Support and Relief of the Poor', 'For Board of Health', 'For Support of Common Schools', 'For lease, alter and improve School Houses', 'For purchase and improvement of sites', 'For wages of Teachers', 'For Erroneous Assessments', 'For City Property Fund', 'For Care and Maintenance of Public Parks', 'For payment of notes given for deficiencies in the following funds: Poor Fund, Highway Fund, Lamp Fund, Stone Breaking Fund, Board of Education'.

For interest on the Bonded Debt, as follows:

Table with 2 columns: Description of debt and Amount. Includes 'SEVEN PER CENT.' and 'Six Per Cents.' categories with various floating and funding loans.

Total required to pay interest..... 328,908 02

For Fire and Water Board:

Table with 2 columns: Description and Amount. Includes 'For Fire Department Fund', 'For extension of water pipe', 'For purchase of lands, res. C. C.', 'For Executive Board, as per their requisition', 'For the care and maintenance of streets and avenues, including street cleaning and repairs to sewers and bridges', 'For salaries of Commissioners'.

Total..... \$844,008 64

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

FINANCE BUDGET.

ROCHESTER, N. Y., June 3, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable, CONTINGENT FUND.

MONTHLY PAY ROLL FOR MAY, 1879.

Table with 2 columns: Name and Amount. Lists various city employees and their monthly salaries for May 1879.

MISCELLANEOUS.

Table with 2 columns: Description and Amount. Includes 'Benford & Stewart, maps', 'C. E. Morris, stationery', 'Edward Angevine, disbursements', 'laws, &c. postage, telegrams and cer.', 'Committee to Albany, disbursements', 'And charge that fund.'

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO MAY 1, 1879.

Table with 2 columns: Name and Amount. Lists employees of the Poor Department and their monthly pay for May 1879.

POOR DEPARTMENT FUND.

Resolved, That the following accounts, having previously been declared valid and due by this Common Council, that the Clerk is directed to draw orders for the same and charge Poor Fund:

Table with 2 columns: Name and Amount. Lists vendors and their amounts for the Poor Department fund.

Jacob Nummold, clothing.....	5 50	John J. Garrett	69 75
Hiram M. Todd, wood.....	98	Jacob Enos	69 75
Buckley & Abbs, bread.....	82 65	John C. Hayden	69 75
Geo. Bastian, bread.....	29 20	John Wangman	69 75
Schaffer Bros., bread.....	175 99	Hugh Johnston	69 75
F. Kesel, bread.....	120 75	John H. Dana	69 75
O. Oswald, shoes.....	52 00	Ed. Van Vorst	69 75
A. Nolte, printing.....	10 80	Hugh Clark	69 75
A. M. Gould, groceries.....	7 00	John C. M'Quatters	69 75
Geo. F. Merz, flour.....	46 80	Wm. H. White	69 75
Gerling Bros., flour.....	48 50	Thos. F. Hurley	69 75
H. Austin Brewster & Co., groceries.....	2 80	Patrick H. Sullivan	102 30
L. Jeffreys, burials.....	75 00	Chas. M' Cormick	79 05
Joseph Schutte, disbursements.....	67 75	Jos. S. Roworth	79 05
John Groh, bread.....	120 75	Wm. P. Lush, 29 days.....	65 75
A. Bauerschmitt, meat.....	100 00	Barth. Crowley, 29 days.....	69 75
St. Patrick's Orphan Asylum, board of inmates to April 1	324 57	Robt. Burns	69 75
St. Mary's Orphan Asylum, do.....	500 80	Ralph Bendon	69 75
Industrial School, do.....	480 22	Jacob Harter	69 75
Home of Industry, do.....	94 74	Thos. Crouch	69 75
St. Joseph's Orphan Asylum, do.....	485 71	Andrew Connolly	69 75
Home for Friendless, do.....	121 00	Wm. P. O'Neil	69 75
Rochester Orphan Asylum, do.....	121 00	Benj. C. Further	69 75
Church Home, do.....	410 97	Wm. H. Keith	69 75
City Hospital, do.....	226 92	John H. Wordell, 28 days.....	65 24
St. Mary's Hospital, do.....	802 00	B. Hurcheler	69 75
Geo. Bastian, bread.....	1,865 75	John Mitchell	69 75
Geo. Opas, bread.....	\$26 50	Robt. M' Kee.....	69 75
C. J. DeLaud, bread.....	52 55	Chas. E. Fowler, 29 days.....	65 57
Buckley & Abbs, bread.....	59 58	Michael Brady	69 75
D. E. Fitchner, bread.....	26 45	Wm. M' Keivv	69 75
Johanna Yawman, bread.....	83 90	Joseph Legler, 27 days.....	62 61
Home of Industry, bread.....	58 25	Wm. H. DeWitt, 28 days.....	65 24
John Bicket, bread.....	60 65	Nicholas J. Loos	69 75
M. Yawman, bread.....	197 45	Fred. Griebel	69 75
F. Kesel, bread.....	60 85	Robert Sloan	69 75
A. Hefner, bread.....	34 90	Peter Bohrer, 29 days.....	67 57
Geo. Elbs, bread.....	41 40	Samuel Schwartz	69 75
L. Klein, bread.....	72 54	Jas. A. Johnson	69 76
Wheeler, rent.....	147 55	Thos. Dukelow	69 75
Weltzal & Niewald, shoes.....	9	Faok. Hoxtor, 28 days.....	65 24
John Oetzel, shoes.....	34 00	Paors. Smita	69 75
Leat & Weltzal, shoes.....	17 25	Lewis Jessorer	69 75
Geo. M. Glasser, shoes.....	28 00	Frank Vahue, 29 days.....	67 57
John Hahn, shoes.....	68 50	Michael Cain	69 75
L. A. Wheeler, shoes.....	75 00	Wm. H. Burgess	69 75
Zecowitz & Fisher, shoes.....	100 00	Michael Hynes	69 75
Williamson & Higbie, stationery.....	100 00	Chas. Hart	69 75
Henry Michaels, services to Excise Com.....	12 85	Frank D. Fay, 28 days.....	65 24
Rochester Printing Co., daily paper.....	125 00	Geo. Hofner	69 75
Express Printing Co. printing blanks.....	9 00	James P. Flynn	69 75
Joseph Schutte, Overseer's disbursements.....	6 25	John Monaghan	69 75
John B. Hahn, flour.....	55 95	John P. Davis	69 75
Geo. C. Maurer, beans.....	49 80	Henry D. Shove, 28 days.....	65 24
Joseph Schutte, beans.....	15 00	Michael Wolf, Jr.	69 75
And charge that fund.....	23 01	John M. Reis	69 75
		Charles W. Peart	69 75
		Louis No'dt.....	69 75
		Jerry Twaig, 23 days.....	65 24
		Ed. McDonough	69 75
		Older Olver, 20 days.....	46 60
		John Dea	69 75
		Jos. St. Hellens	69 75
		Ed. Rice.....	69 75
		Peter Hess.....	69 75
		Daniel Goulding, Jr.....	69 75
		Patrick Holloran, 29 days.....	67 57
		Henry Graven	69 75
		Mich. Hyland	69 75
		Jacob Markey.....	60 00
		B. Frank Enos, Clerk of Commissioners.....	116 67
		B. Frank Enos, expenses to May 1, 1879.....	12 42
		Payable to Geo. D. Williams, Treasurer.....	
		Examined and approved.....	
		C. R. FAHNSONS,	
		FRED'K ZIMMER,	
		H. C. DANIELS,	
		Commissioners.	
		And charge that Fund.....	
		POLICE PAY ROLL FOR MAY, 1879.....	\$191 75
		Alex. McLean.....	79 05
		Saml. Brown.....	79 05
		Peter Hughes.....	79 05
		Wm. J. Rogers.....	79 05
		W. J. Lynch.....	79 05
		Thos. Lynch, Jr.....	79 05
		Peter Lauer, Jr.....	79 05
		Patk. C. Kavanaugh.....	79 05
		Ferry Marzluff.....	79 05
		Thos. A. Burchell.....	79 05
		Calo. Berce.....	79 05
		Henry Baker.....	79 05
		Joseph P. Cleary.....	69 75
		Frank B. Allen, 28 days.....	65 24
		W. R. McArthur.....	69 75
		John J. Garrett.....	69 75
		John C. Hayden.....	69 75
		John Wangman.....	69 75
		Hugh Johnston.....	69 75
		John H. Dana.....	69 75
		Ed. Van Vorst.....	69 75
		Hugh Clark.....	69 75

John C. McQuatters	69 75
Wm. H. White	69 75
Thos. F. Hurley	69 75
Patk. H. Sullivan	102 30
Chas. McCormick	79 05
Joseph S. Roworth	69 75
Wm. F. Lush	69 75
Barth. Crowley	69 75
Robt. Burns	69 75
Ralph Bendon	69 75
Jacob Harter	69 75
Thos. Crouch	69 75
Andy Connolly	69 75
Wm. F. O'Neil, 24 days	55 92
Ben. C. Further	69 75
Wm. H. Keith	69 75
John H. Wordell	69 75
Barney Horschler	69 75
John Mitchell	69 75
Robt. McKee	69 75
Chas. E. Fowler	69 75
Mich. Brady, 19 days	44 27
Wm. McKelvey, 27 days	62 91
Joseph Legter, 29 days	67 75
Wm. H. DeWitt, 27 days	69 75
Mich. J. Loos	69 75
Ferd. Griebel	69 75
Robt. Sloan	69 75
Peter Bohrer, 29 days	67 57
Saml. Schwartz	69 75
James A. Johnson	69 75
Thos. Dukelow	69 75
Patk. Hooct	69 75
Geo. Smith	69 75
Louis Jesserer	69 75
Frank Vahue, 29 days	67 57
Mich. Cain	69 75
Wm. Burgess	69 75
Mich. Hynes	69 75
Chas. Hart	69 75
Frank D. Fay	69 75
Geo. Hafner	69 75
James P. Flynn	69 75
John Monaghan	69 75
John B. Davis	69 75
Henry D. Show	69 75
Mich. Wolf, Jr	69 75
John M. Reis	69 75
Chas. W. Peart	69 75
Wm. Laragy	69 75
Louis Nold	69 75
Jeremiah Twigg	69 75
Ed. McDonough	69 75
Older Oliver, 15 days	34 95
John Dean	69 75
Joseph St. Hellen	69 75
Edward Rice	69 75
Peter Hess	69 75
Dani. Goulding	69 75
Patk. Holloran	69 75
Henry Graven	69 75
Mich. Hyland	69 75
Jacob Markey	60 00
B. Frank Enos, Clerk	116 67
B. Frank Enos, expenses to June 1	28 25
Payable to Geo. D. Williams, Treas.	
Examined and approved.	

C. R. PARSONS,
 FREDK. ZIMMER,
 HENRY C. DANIELS,
 Commissioners.

PARK FUND.

F. Knapp, labor on parks 15 days	\$ 15 00
Dan. Goulding, do 30 do	30 00
Jos. Edleman, do 30 do	30 00
Pat. Newcomb, do 9 do	10 00
Joseph Horton, do 30 do	30 00

Ald. FitzSimons moved that the salaries of the Exise Commissioners be paid monthly now and hereafter. Adopted.

Ald. Crouch moved that the item of expenditure for Ald. FitzSimons be stricken from the budget.

Ald. Crouch withdrew his motion, but Ald. FitzSimons objected.

Ald. Mandeville moved to amend Ald. Crouch's motion, by striking out all but \$75.

The President ruled that the motion to strike out was not divisible under the rule.

Ald. FitzSimons moved that the entire amount be stricken from the budget. Lost by the following vote:

Ayes—Alds. Tracy, FitzSimons, Hebing, Mandeville and Vay.

Nays—Westbury, Otis, Warren, Crouch, Chambers, Chace, Wickens, Edelman, Weaver Knobles and Hart—11.

The Finance budget was adopted by the following vote:

Ayes—Alds. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles and Hart—15.

Nays—Ald. FitzSimons—1.

Ald. Hart, from the Special Committee on Printing, presented the following and moved its adoption.

To the Common Council of the City of Rochester:

GENTLEMEN—Your Special Committee on Printing, to whom was referred the subject of receiving proposals from the Democrat Printing Company, offer the following resolution:

Resolved, That the Mayor be and he is hereby requested and authorized to enter into a contract, on behalf of the city, with the proprietors of the Democrat and Chronicle to publish the proceedings of the Common Council, Executive and Fire and Water Works Boards, notices of city officers, &c., at a price not to exceed \$2,200.

J. J. HART,
 LYMAN M. OTIS,
 Committee.

Ald. Hebing moved that the amount to be paid be \$2,000.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. FitzSimons, Otis, Mandeville, Wickens—4.

The original motion, as amended, was adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Nays—Ald. FitzSimons, Mandeville—2.

Ald. Hebing moved that the resolution of Ald. FitzSimons, adopted at the last meeting, requesting the Mayor to contract with the Union and Advertiser Company, be reconsidered. Adopted.

Ald. Hebing moved to amend the resolution by inserting, "and furnish 150 copies of the bound book of proceedings and Clerk's index." Adopted.

Ald. Crouch moved to amend that the amount to be paid be \$3,000.

Lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Crouch, Chambers, Chace, Edelman, Hart—7.

Nays—Ald. Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles—9.

Ald. Chace moved that the requirement to furnish 150 bound copies of proceedings be stricken from the resolution. Lost. The resolution making the amount \$2,700 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart.—16.

Ald. Chace moved that the vote to contract with the Democrat and Chronicle be reconsidered.

Ald. Hebing moved the indefinite postponement of the motion.

Lost by the following vote:
 Ayes—Ald. Tracy, Westbury, Otis, Hebing, Vay, Wickens, Weaver.—7.
 Nays—Ald. Fitz Simons, Warren, Crouch, Chambers, Chace, Mandeville, Edelman, Hart.—8.

The motion of Ald. Chace was adopted by the following vote.

Ayes—Fitz Simons, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Edelman.—8.
 Nays—Tracy, Westbury, Otis, Hebing, Wickens, Weaver, Hart.—7.

Ald. Mandeville then moved the indefinite postponement of the resolution.

Lost by the following vote:
 Ayes—Ald. Fitz Simons, Warren, Crouch, Chambers, Chace, Mandeville, Vay.—7.
 Nays—Ald. Tracy, Westbury, Otis, Hebing, Wickens, Edelman, Weaver, Hart.—8.

Ald. Otis moved the adoption of the original resolution.

Ald. Mandeville moved as an amendment that the amount be \$1,700.

Ald. Westbury moved as a further amendment that the amount be \$1,800.

Lost by the following vote:
 Ayes—Ald. Westbury, Otis, Hebing, Vay, Wickens, Weaver, Knobles, Hart.—8.

Nays—Tracy, Fitz Simons, Warren, Crouch, Chambers, Chace, Mandeville, Edelman.—8.

The amendment of Ald. Mandeville, \$1,700, was adopted by the following vote.

Ayes—Ald. Tracy, Warren, Crouch, Chace, Mandeville, Vay, Edelman, Weaver, Knobles, Hart.—11.

Nays—Ald. Fitz Simons, Westbury, Otis, Hebing, Wickens.—5.

The original motion as amended was then adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart.—13.

Nays—Ald. Fitz Simons, Warren, Chambers.—3.

Ald. Hart moved that the resolution in regard to contracting with the Union and Advertiser be reconsidered.

Ald. Crouch moved that the motion lie on the table. Adopted by the following vote.

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Mandeville, Vay, Wickens, Weaver.—10.

Nays—Ald. Fitz Simons, Chambers, Chace, Edelman, Knobles, Hart.—6.

Ald. Chace moved to reconsider the resolution adopted at the last meeting in regard to contracting for the supply of coal for the Poor Department. Lost by the following vote:

Ayes—Ald. Tracy, Crouch, Chambers, Chace, Edelman.—5.

Nays—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles, Hart.—11.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS AND THEIR REFERENCE.

By the Clerk—
 MAYOR'S OFFICE,
 ROCHESTER, June 3, 1879. }

Gentlemen of the Common Council:

In accordance with the resolution of Ald. Westbury, which was adopted by your Board at its meeting held May 27, 1879, I hereby report the number of street lamps found not burning, "before the time for extinguishing the same," during the month of May:

	Gas.	Oil.	Naptha.
May 3d	1	10	..
4th .....	..	89	..
8th .....	..	76	1
9th .....	..	9	..
10th .....	..	4	..
11th .....	..	45	1
12th	1	..	1
13th .....	..	6	..
14th	1	86	..
15th .....	..	8	..
17th	1	2	..
18th	6	..	54
19th	3	7	54
20th .....	..	4	38
21st .....	..	25	78
22d	4	17	49
23d	3	7	63
24th .....	..	4	38
25th	1	98	43
26th .....	..	45	42
27th .....	..	13	37
30th .....	..	..	5
31st	10	4	..
Total	32	442	500

C. R. PARSONS, Mayor.
 Ordered received, filed and published.
 Ald. Fitz Simons moved to suspend the rule so adjourn at 11 o'clock. Adopted.
 By the Clerk—

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
 ROCHESTER, N. Y., May 31, 1879. }

To the Common Council:
 I transmit herewith as required by law:
 1. A statement showing expenditures of this Board from May 5 to May 31, inclusive.
 2. A statement showing condition of the funds in charge of this Board at this date.

Respectfully, your ob't. servant,
 [Official.] THOS. J. NEVILLE,
 Clerk of the Water Works and Fire Board.

CITY OF ROCHESTER,
 WATER WORKS AND FIRE BOARD OFFICE, }
 CITY HALL, ROCHESTER, May 31, 1879. }

STATEMENT showing the expenditures by this Board during the period from May 5 to May 31, inclusive:

Amount expended charged to the Water Works Fund.....	\$4,492 90
Amount expended charged to the Fire Department Fund.....	\$2,273 93
Total expenditure.....	\$6,766 83

STATEMENT showing condition of the funds in charge of the Water Works and Fire Board at this date:

Debit Balance:	
City Treasurer.....	\$32,515 60
Credit Balances:	
Water Works Fund.....	\$23,991 86
Water Works Fund, Special.....	1,515 47
Fire Department Fund.....	2,008 27
	\$32,515 60

THOS. J. NEVILLE,
 Clerk of Water Works and Fire Board.
 Ordered received, filed and published.

By the Clerk—
 EXECUTIVE BOARD, OF THE CITY OF ROCHESTER, }
 ROCHESTER, N. Y., May 31, 1879. }

To the Common Council:
 I have the honor to transmit herewith:
 1. Statement of expenditures by the Executive Board during the month of May, 1879.
 2. Statement showing the condition at this date of the several funds in charge of the Executive Board.

Respectfully your obedient servant,
 FRANCIS P. KAVANAGH,
 Clerk of the Executive Board.

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD DURING THE MONTH OF MAY, 1879.

Highway Fund.....	\$3,112 73
Sidewalk Repair Fund.....	98 25
Salary and Expense Fund.....	500 00
Sprinkling East Avenue, Sec. 1.....	45 00
.. .. 2.....	30 00
.. East and West Main sts.....	100 00
.. State and Exchange sts.....	50 00
Favor street Sewer.....	80 75
Allen Street Bridge Approaches.....	12 00
Allen Street Improvement.....	1,900 00
Allen Street Iron Lift Bridge.....	5,000 00
White Street Improvement.....	1,000 00

Total.....\$11,328 78
 (Official) FRANCIS P. KAVANAGH,
 Clerk of Executive Board.

STATEMENT OF THE CONDITION OF THE SEVERAL FUNDS
IN CHARGE OF THE EXECUTIVE BOARD AT THIS DATE.

Dr. Balances.	
Sidewalk Repair Fund.....	\$ 2,596 29
Sundry Street Sprinkling Funds.....	225 00
Tracy Park Opening.....	96 50
Allen Street Bridge Approaches.....	31 08
Allen Street Improvement.....	1,300 00
Allen Street Bridge.....	5,000 00
White Street Improvement.....	1,000 00
Favor Street Sewer.....	80 75
	\$10,329 57
Cr. Balances.	
City Treasurer.....	7,607 05
Highway Fund.....	1,207 11
Macadam Stone Fund.....	1,393 81
Salary and Expense Fund.....	151 00
	\$10,329 57

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

Ordered received, filed and published.

By the Clerk :

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

GENTLEMEN, The undersigned, Commissioner of Excise of the city of Rochester, report that moneys have been received by said Commissioners, from the persons named, and in the respective amounts set forth in the following schedule, commencing May 6th, 1879, to and including May 29th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, Cigs and beer, in quantities less than five gallons at a time, to wit:

Peter Bartle, 153 N. Clinton st.....	\$ 20
Wm. Hildreth, 94 Mill st.....	30
Hamlet E. Scrantom, R. av. and Mill st.....	60
Mary M. Reed, 75 Mill st.....	60
Wm. A. LeWalter, H. S. Brewer's dock.....	20
Henry Wich, 274 Brown st.....	30
Mary E. Masseth, cor. Adams and Plymouth av.....	40
Christian Haller, 104½ Hudson st.....	20
Lewis Eichman, 148 E. Main st.....	30
Samson Well, 8 S. St. Paul.....	30
Lewis Mahle, 68 St. Joseph st.....	20
Caspar Spahr, 33 N. St. Paul st.....	40
Basil Schorer, 5 Hudson st.....	20
James B. Jenkins, 37 and 29 Powers Block.....	30
Jacob J. Ursprung, cor. Chatham and Atwater sts.....	50
Buch & Sanger, 65 E. Main st.....	30
Truman Hulín, 68 Genesee st.....	40
Jno. Foeher, 138 Lake av.....	40
Chas. F. Fuchs, 122 Front st.....	43
Burton L. Sheldon, 100 West Main st.....	60
Charles F. Gilson, 23 Exchange st.....	60
Jas. H. McGuire, 60 W. Main st.....	20
Leopold Grubel, cor. Jay and Whitney.....	20
Geo. H. Bussey, 8 Exchange pl.....	50
Russel Coats, 9 Exchange st.....	20
Chas. Watson, 150 E. Main st.....	40
Jas. McKay, 9 Mumford st.....	20
Sam'l McGilley, cor. Reynolds & Hunter sts.....	30
Jas. McMannis, 24 S. St. Paul.....	30
Ed. McMannis, 96 East av.....	30
Joseph Erbeling, 60 S. St. Paul st.....	40
Geo. B. Hawkins, 17 Reynolds st.....	30
John G. Zapp, 120 Oak st.....	20
Aman & Marchandt, 231 East Main st.....	40
Lina Welzigan, 173 North st.....	30
James Hammond, 152 West Main st.....	30
Simon Alberger, 82 Maple st.....	20
Geo. Hirsch, 100 N. Clinton st.....	20
Joseph Sayer, cor. Allen & State sts.....	40
Caspar Wehle, cor. Front & Mumford.....	40
Whitecomb & Crouch, 108 E. Main st.....	60
Sam'l Oberbeiser, 30 N. Water.....	20
Herman Lehman, 126 Lyell.....	50
Jno. C. Bornkessel, 170 Scio.....	50
Gustave Rosenthal, 107 N. ave.....	50
Jas. A. Maxwell, cor. State and R. R. ave.....	60
Fridolin Held, 141 W. Maple.....	20
Joseph Skalneck, 90 Front.....	40
Frank Eppinger, 30 S. St. Paul.....	30
Wm. Stoeppler, 7 North ave.....	40
Michael Magin, 5 Andrew.....	40
Wm. Schwing, cor. Orange and Whitney.....	20
Wm. H. Sours, 101 East Main.....	40
T. W. Ambruster & Co., 93½ Scio.....	50
Arthur T. O'Neil, 26 N. Water.....	30
Jay B. Martin, 9 Magne.....	20
Valentine Finzer, 99 Chatham.....	20
Geo. R. Ryan, 4 and 6 Mill.....	20
Wm. Erlar, 71 Hudson.....	40
Jas. Vandelinde, 72 North ave.....	20
Annicheto Bertoni, 162 West Main.....	20
Thos. F. Boyd, 165 Lake ave.....	40
Jos. Kelly, 9 Hill.....	40
Chas. R. Smith, 59 W. Main.....	40
Conrad Eisenberg, cor. Pinnacle ave and Meigs.....	40

Chas. F. Kimpal, 5 and 7 Mill.....	20
Torrey & Schroeder, 106 St. Joseph.....	20
Fred'k O'Neil, 166 S. St. Paul.....	30
Jno. Hotchkiss, 174 State.....	20
Jno. Schoffel, 174 S. St. Paul.....	20
Mary A. Clemenson, cor. Front and Market.....	40
Marburger & Spies, 106 N. Clinton.....	40
Samuel Milliman, 159 E. Main.....	40
Leonard Weidenberg, 64 Monroe ave.....	50
Jno. Doyle, 70 Front.....	20
Sebastian Auer, 120 Front.....	20
Wm. Atkinson, 3 Summer.....	20
Jas. O. Benedict, cor. State and R. R. ave.....	20
Geo. Schaefer, cor. Thomas and Clifford.....	20
David W. Wheeler, 18 Spring.....	40
Mulholland Ward, cor. E. Main and St. Paul.....	20
Bartholmew Krap, 274 State.....	20
Chas. G. Wolf, 78 Pinnacle ave.....	20
Ernst Frank, 42 N. Clinton.....	20
Chas. Englert, cor. Andrews and Watdr.....	40
Jas. Campbell, 240 State.....	20
John Hinges, 240 E. Main.....	20
Jas. McDonald, 42 Allen.....	30
Henry Predmore, Weigh Lock.....	20
Mary A. Bauman, 40 Monroe ave.....	20
Wm. Pinchbeck, 15 Monroe ave.....	20
J. Geo. Schieber, 26 and 28 N. Water.....	40
Jos. M. Ryan, 157 N. Water.....	20
Mary Grubel, 150 So. St. Paul.....	20
Jno. Stumler, cor. Bay and First ave.....	40
Jno. Mayer, 130 Hudson.....	40
Hugh Devit, cor. Spring and Exchange.....	40
James W. Clarke, 124 State.....	40
Andrew J. Feek, McCracken.....	40
C. P. Paine & Co., 20 West Main.....	30
John Kernan, 42 Allen.....	30
Catharine Marks, 98 N. St. Paul.....	30
George Boch, corner Bay and Main.....	40
Frank Scherer, corner Jay and Childs.....	40
Martin Joiner, 295 State.....	30
Garson & Goldberg, 49 East Main.....	50
Lewis Hof, 292 Brown.....	30
George Werner, 40 East Main.....	20
Knapp & Webber, 76 St. Joseph.....	30
Valentine Schlaefter, 18 Exchange place.....	20
William P. Lundy, 90 Front.....	20
Albert C. Milo, 228 State.....	40
Conrad Zimmer, 111 Mount Hope ave.....	40
Lewis Merklinger, 108 West ave.....	20
James Kane, Sr., 21 Monroe ave.....	30
John & James Cooper, East Main and Clinton.....	30
Fred'k Eggerer, 162 North ave.....	40
Michael Wahl, 34 Herman.....	40
James Hyde, 113 Broadway.....	20
Wm. Roth, 116 Mt. Hope ave.....	50
Joseph Haller, 24 William.....	30
John Kaiser, 126 South ave.....	20
Augustin Scheidnaegel, Hudson and Bernard.....	40
Jacob Rauber, 136 West Main.....	40
J. W. Stiles, 50 Atkinson.....	50
Rudolph Weiss, 120 Mt. Hope ave.....	40
John F. Zweigle, 43 Front.....	20
Ed. Wagner, 109 Clinton.....	40
Mary E. Stack, 160 State.....	20
Fred'k C. Kuefer, 87 Hudson.....	20
Rosanna Doyle, 65 Caledonia ave.....	30
Christian Haller, 104½ Hudson.....	30
Antony Bell, 124 Pinnacle ave.....	50
Valentine Kraemer, 206 N. Clinton.....	40
Eliza Kelley, 24 N. Water.....	20
Albert Boshardt & ano., 111 North ave.....	20
Andrew O. Gordon, Reynolds' Arcade.....	50
Philip Weider, 24 Grand.....	50
Henry Normile, Smith and Walnut.....	50
Philippine Trost, 172 Pinnacle ave.....	50
Christian Eisenmenger, 37 Broadway.....	50
Fred Stutzinger, 171 Plymouth ave.....	50
Catharine Eismann, North ave. and Clifford.....	40
George Bridgman, 12 N. Water.....	40
Jacob Baurele, 108 East ave.....	50
John Hartel, 11 West ave.....	40
Remi Miller, N. St. Paul and Atwater.....	40
Geo. P. Wagner, 40 W. N. Water.....	20
George Werner, 253 North Clinton.....	20
Peter L. Monroe, 53 S. Francis.....	20
Alloise Jessorer, 85 Hunter.....	20
Emile Reisky, 111 N. St. Paul.....	20
Catharine Klemm, 116 W. Main.....	40
Julius Erittenstoll & Co., 105 N. ave.....	20
Jacob Eger, 40 W. N. Water.....	50
George Selbert, 76 St. Paul st.....	20
Balthazar Bullinger, 6 & 8 Elizabeth st.....	40
Joseph Hessinger, 288 W. Main.....	40
Martha A. Schiltzer, 39 Andrews.....	20
Christopher Reinefeld, white tavern.....	40
Jas. O. Howard, 114 State.....	50
William N. Clinton.....	20
Catharine Yauman, 121 Jay.....	40
Fredereich Heilbronn, Bartholomay Park.....	40
Anthony Leich, 49 Francis.....	40
Geo. T. Knapp & Co., 255 Monroe ave.....	50

John G. Fritz, 177 N. St. Paul.....	40
George Bertram, 223 N. Clinton.....	20
Osmer S. Hulbert, 16 1/2 Front.....	20
John Borsch, 40 Orange.....	20
John Buch, 99 N. Union.....	20
Derrick & Searvogel, cor. Seto and Davis.....	30
Adolph Schreck, 127 A. Scio.....	40
Susan Chapman, 48 Marker.....	40
Wm. Gerstner, 209 Scio.....	20
Peter Reinhardt, 97 Mt. Mope ave.....	50
James McGee, 110 E. ave.....	30
Wood & Servis, 51 Monroe ave.....	30
John B. Stager, 223 Brown.....	40
Caroline Ward, 122 Adams.....	40
Catharine Higgins, 223 Plymouth ave.....	30
Anthony Kleek, 43 Orange.....	40
Ann Wegman, 182 N. S. Paul.....	20
James Flynn, 127 W. Main.....	20
Sarah J. Fortune, 188 W. Main.....	20
Gottlieb Konoth, 128 Lyell.....	30
Wm. H. Battelle & Co., 61 E. Main.....	30
Annie M. Hetzel, 136 N. ave.....	50
Fredk. J. Miller, 17 N. ave.....	20
Henry Hetzel, 174 W. ave.....	30
Margaret E. Burns, 102 Mill.....	40
John Rowley, 45 Monroe ave.....	30
Minnie Green, 49 Monroe ave.....	20
John Schleifer, 2 Catham.....	30
Wm. Paucher, 744 Pinnacle ave.....	30
Fredk. Inhof, 124 N. Clinton.....	40
Richard Clement, 90 N. St. Paul.....	20
Henry Hetzel, 174 W. ave.....	20
Ferdinand Schleifarth, 338 State.....	20
John Hayes & Co, 22 S. St. Paul.....	30
Wm. Mitchell, 229 State.....	30
Michael Hitzel, 71 Lowell.....	40
Mathew Slavin, 101 Mill.....	20
Charles Semmel, 183 N. Clinton.....	20
Geo L. Upson, 173 E. Main.....	40
Nellie E. Tierney, 61 S. Clinton.....	40
Samuel Luscher, 34 Pinnacle ave.....	40
Leopold Belmont, 153 E. Main.....	20
George Weider, Mumford and Front.....	40
Anthony Miller, 4 West ave.....	20
Philips and Fuller, N. ave.....	50
John Knapp, 59 Francis.....	30
Elizabeth Kelly, 19 Spring.....	20
Josiah Newman, 112 Front.....	30

Total.....\$7,040 00
 We have disposed of said moneys as follows:
 Deposited with City Treasurer.....\$7,040 00
 Licenses have been granted to all of the above named applicants.
 Dated May 29th, 1879.

VINCENT M. SMITH,
 PORTER W. TAYLOR,
 EDWARD E. BAUSCH,
 Excise Com'rs.

STATE OF NEW YORK, } ss.
 County of Monroe, }

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of the city of Rochester, in said County, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of persons and dates therein given, are correctly set forth in said report, and that the said report embraces the whole of the moneys received from May 6 to and including May 29, 1879.
 Sworn to before me this 29th day of May, 1879.

JOHN H. MASON,
 Com'r of Deeds

Ordered received, filed and published.
 By the Clerk—

EXECUTIVE BOARD
 OF THE CITY OF ROCHESTER,
 ROCHESTER, N. Y., June 3, 1879. }

To the Common Council :

On the 10th of January last this Board made orders on the City Treasury for \$96 50 to pay the City Attorney and Commissioners, for services and expenses incurred under the ordinance No. 2012, passed May 28, 1878, "To open and extend Tracy Park," which orders were paid by the City Treasurer and were charged upon his books and the books of this Board to the ordinance by name and number.

The original ordinance has been reconsidered and voted down, and an amended ordinance has also failed upon a final vote.

It is necessary that provision be made by your Board to balance this account, and this

Board respectfully asks that such provision shall be made. Respectfully submitted

FRANCIS P. KAVANAGH, Clerk.

Ald. Mandeville moved that the bill be referred to the Contingent Expense Committee. Adopted.

By the Clerk—

OFFICE OF THE FIRE AND WATER BOARD.

To the Honorable the Common Council :

GENTLEMEN—By Mr. Woodworth—Whereas, The property owners on Goodman street, from East avenue to Park avenue, in the Sixteenth Ward, have petitioned for laying water mains in said street; and the city assessors have certified that the same is a majority petition, and said water mains are now laid in accordance with said petition, therefore,

Resolved, That the Clerk of this Board be and he is hereby directed to certify to the Common Council that the property owners on said streets have complied with the provisions of section 9 of an Act Entitled An Act "To Amend the Charter of the City of Rochester, and to Extend its Boundries," passed May 19th, 1874, and are, under the provisions of said act, "jointly liable upon the assessments in said territory which the old territory of said city for such portion of the water debt" as now remains unpaid. Adopted.

(A true copy from the minutes).

THOS. J. NEVILLE.

Ordered received, filed and published.

By the Clerk—

OFFICE OF THE EXECUTIVE BOARD, }
 ROCHESTER, June 3, 1879. }

To the Honorable the Common Council :

GENTLEMEN—Your attention is hereby called to the following resolution of the Common Council, adopted at a regular meeting, held February 18, 1879 :

By A'd. Huntington—Resolved, That the Executive Board and the Water Works Committee be and they are hereby directed to lay all the necessary water pipe for the operation of the Allen street lift bridge, and charge the Contingent fund. Adopted.

In pursuance to the above resolution the water pipe has been laid, and enclosed is the amount expended for the same.

Respectfully,

THOS. J. NEVILLE, Clerk.

Ordered received, filed and published.

By the Clerk—Bill of Water Works and Fire Board, for laying water pipe in Allen street, \$660.

Ald. FitzSimons moved that the bill be referred to the Finance Committee. Adopted,
 By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, June 3d, 1879.

To the Hon. The Common Council.

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principle funds on the 3d day of June, 1879, as required by section 59 of the City Charter:

	Credit Balances.
Contingent Fund.....	\$16,939 40
Police Fund.....	40 24
Lamp Fund.....	176 83
Poor Fund.....	8,058 43
Park Fund.....	874 66
Board of Health Fund.....	611 45
Home for Truants Fund.....	5 10
City Property Fund.....	736 66
Search Department Fund.....	559 40

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 3d day of June, 1879.

JAMES H. WILSON,
 Commissioner of Deeds.

Ordered received, filed and published

By Ald. Westbury—

Whereas, the city of Rochester holds an agreement made by Henry A. Taylor, Isaac S. Waterman and Thomas Leighton for the delivery by said Taylor to said city on or before July 1, 1877, of 6,000 shares of the capital stock of the Rochester and State Line R.R. Co. of the par value of \$100 per share fully paid up; and,

Whereas, Said capital stock is not yet delivered to said city; that the reason assigned by the Treasurer of said Railway Company for the non-delivery of said capital stock is that said Taylor has not yet fulfilled his contract with said company, reference to which contract was had in said agreement; and,

Whereas, Said city of Rochester also holds a bond of said Taylor, Waterman and Leighton in the sum of \$200,000, fixed therein as liquidated damages, conditioned that said Henry A. Taylor should complete and equip the railway of said company in conformity with said contract by July 1, 1877; therefore,

Resolved, That the Finance Committee of this Board be and hereby are instructed to ascertain from said railway company and report to the Board at its next regular meeting wherein said contract is not fulfilled by said Taylor, and to report what action, if any, in their judgment is advisable for the city to take to protect its interest in the matter, and also to confer with a like committee already appointed on the part of the towns holding a similar contract.

Ald. Crouch moved that the resolution lie on the table until the next regular meeting.

Ald. Westbury in the chair.

Adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman—9.

Nays—Ald. FitzSimons, Otis, Warren, Weaver, Knobles, Hart—6.

ACTION ON ORDINANCES.

By Ald. Knobles—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a stone culvert of 10 feet span over Deep Hollow Creek at Sherman street. Also the necessary retaining walls.

Adopted.

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

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

The construction of a stone culvert of 10 feet span over Deep Hollow Creek at Sherman street. Also the necessary retaining walls.

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

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

All the territory enclosed within the following described boundary lines, viz : Beginning at the intersection of the south line of Emerson street, with the west boundary line of the Erie Canal lands, thence westerly along the south line of said Emerson street to the west line of the city, thence southerly along said west line of the city to a point opposite the north line of Otis street, thence easterly along the north line of Otis street, and in said line continued to the west boundary line of the Erie canal lands, thence northerly along the westerly line of said Erie canal lands to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, June 17th, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

EXTENDING LAKE AVENUE OUTLET SEWER.

By Ald. Edelman—Resolved, That the City Surveyor

or ascertain and report to this Council the expense of extending the Lake avenue outlet sewer from its present terminus in the centre of Lake avenue, to the Genesee river, by way of Lake avenue, McCracken street and Buell avenue.

Adopted.

The Surveyor submitted as such estimate, \$25,000.

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

The extension of the Lake avenue outlet sewer from the point where it leaves the centre of Lake avenue near Deep Hollow creek, to the Genesee river, by way of Lake avenue, McCracken street and Buell avenue.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$25,000, which estimate is hereby approved.

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

All the lots and parcels of land enclosed within the following described boundaries :

Beginning at the intersection of the north line of Paine street with the top of the west high bank of the Genesee river; thence westerly along the north line of Paine street and including one tier of lots on the north side thereof to Lake avenue; thence southerly along Lake avenue and including one tier of lots on the west side thereof to Lake View Park; thence westerly along Lake View Park and including one tier of lots on the north side thereof to the westerly extremity of said park; thence westerly on the north line of said park produced, to the street at the east end of the Driving Park grounds; thence southerly along said street and including a strip of land 100 feet wide on the west side thereof to McCracken street; thence westerly along McCracken street and including a strip of land 100 feet wide on the north side thereof to the city line; thence southerly along the city line to the northerly line of the Erie canal lands; thence southeasterly along the westerly and easterly line of the Erie canal lands to a point opposite the south line of Lorimer street; thence easterly along Lorimer street and including one tier of lots on the south side thereof to Frank street; thence southerly along Frank street and including one tier of lots on the west side thereof to Jones avenue; thence easterly along Jones avenue and including so many of the lots on the south side thereof as front on Jones avenue; thence northerly along Lake avenue and including one tier of lots on the east side thereof from Ambrose street to the top of the north bank of Deep Hollow creek; thence easterly and northerly along the top of the north bank of Deep Hollow creek and along the top of the west high bank of the Genesee river to the place of beginning, excepting therefrom the banks of Deep Hollow creek.

And further resolved, That the tax payers to be assessed for making such improvement may pay their assessments in five equal payments as follows: One fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within three years from the confirmation of said roll; one-fifth of the amount within two years from the confirmation of said roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, June 17th, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN RINGELSTEIN ALLEY.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a pipe sewer nine inches in diameter in Ringelstein alley from a point 12 feet east of the east line of Shamrock street to the sewer in Shamrock street; also, the necessary surface sewers and lot laterals.

Adopted.

The Surveyor submitted as such estimate \$160.

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

The construction of a pipe sewer nine inches in diameter in Ringelstein alley, from a point 12 feet east of the east line of Shamrock street to the sewer in Shamrock street; also the necessary surface sewers and lot laterals.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same, at \$160, which estimate is hereby approved;

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

One tier of lots on each side of Ringelstein alley, from Shamrock street to a point 182 feet east therefrom.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, June 17, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,069.

SPRINKLING PHELPS AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Phelps avenue from Lake avenue to 182nd avenue during the season of 1879.

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

The sprinkling of Phelps avenue from a point 100 feet west of Lake avenue to a west line of Backus avenue, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$125, which estimate is hereby approved; 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 Phelps avenue from a point 100 feet west of Lake avenue to the west line of Backus avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Edelman, Weaver, Knobles, Hart—14.

FINAL ORDINANCE NO. 2,070.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Union street, from East avenue to Monroe avenue, during the season of 1879.

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

The sprinkling of Union street, from East avenue to Monroe avenue, during the season of 1879.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$200, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Union street, from East avenue to Monroe avenue.

On which above described portion of city the expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Edelman, Weaver—12.

FINAL ORDINANCE NO. 2,071.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Andrews street, from the river bridge to North avenue.

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

The sprinkling of Andrews street, from the river bridge to North avenue, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$200.00, which estimate is hereby approved; 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 Andrews street, from the river bridge to North avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Edelman, Weaver—12.

FINAL ORDINANCE NO. 2,072.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle North avenue from East Main street to University avenue during the season of 1879.

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

The sprinkling of North avenue, from East Main street to University avenue, during the season of 1879.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$160, which estimate was and is hereby approved; 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 avenue, from East Main street to University avenue.

On which above described portion of the city the expenses of said improvement are hereby assessed.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Edelman, Weaver, Hart—12.

The Final Ordinance for the opening of a street from North avenue to North street was, on motion of Ald. Hart, indefinitely postponed.

UNFINISHED BUSINESS.

FINAL ORDINANCE NO. 2,073.

MANSON STREET PLANK WALK.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on the west side of Mansion street from Violetta street to Flint street; also, the necessary crosswalks.

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

The construction of a plank walk 4 feet and 8 inches wide on the west side of Mansion street from Violetta street to Flint street; also, the necessary crosswalks.

And the whole expense shall be defrayed by the assessment upon all the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council having made an estimate of such expense and reported the same at \$253, which estimate is hereby approved; 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 Mansion street, from Violetta street to Flint street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The penal ordinance in regard to railroads was taken from the table.

Ald. Otis moved as a substitute that the ordinances passed Feb. 17, 1863, be adopted.

The Common Council of the City of Rochester do ordain as follows

SECTION 1. No railroad company or any other person shall direct, cause or suffer any engine, railroad car, or train 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 speed than eight miles per hour, under a penalty of one hundred and 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 one hundred and fifty dollars for each offence.

§ 3. No railroad company or any person in its 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, or shall in any manner obstruct any street, square or alley, under a penalty of one hundred and fifty dollars for each offence.

§4. No railway company, or any person in its 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 one hundred and 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 cleaned, under a penalty of one hundred and fifty dollars.

§6 Every ordinance of this board in conflict with this ordinance is hereby repealed.

§7. No person, unless an employee or passenger on any car of such railroad company, while passing through the city limits, shall get on or off such car while in motion, under a penalty of five dollars for each offence.

§8. Every execution issued upon a judgment recovered for a violation of the preceding sections shall command the amount to be made of the property of the defendant, if any such can be found; if not, then to commit the defendant to the Monroe county penitentiary for a period of ten days.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles—13.

Nays—Cronch, Edman—3.

Ald. Tracy gave notice that at the next meeting he would move the adoption of the following amendments to penal ordinances relating to railroads:

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

Section seven of chapter four of Penal Ordinances of the City of Rochester, entitled "An Ordinance Relating to Railroads," passed February 17, 1883, is hereby amended so as to read as follows:

§7. "No person, unless an employee or passenger on any car of such railroad company, while passing through the city limits, shall get on or off such car while in motion, under a penalty of five dollars for each offence." "No person under fifteen years of age shall ride on the platform or the outside of any street railroad car in the city, under a penalty of five dollars for each offence.

By Ald. Warren—Whereas, Lots Nos. 294, 295 and pts 296 and 297 of the Thurber Tract, Clifton street, 8th ward, was assessed for Clifton and Reynolds street sewer, No. 1,550, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$74.85, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

George D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1878 to Jas. R. Bennett, viz: Lot No. 296 m pt Thurber Tract, north side of Clifton street, 8th ward, 33 feet front, 33 feet rear, and 162 feet deep, and that the owner of said property should pay as his portion of Clifton and Reynolds street sewer, No. 1,580, the sum of \$74.85, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.
By Ald. Warren—Whereas, Lot No. 296 of the Thurber Tract, Clifton street, 8th ward, was assessed for Clifton street improvement under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$16.17 with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Jas. R. Bennett, viz: Lot No. 296 m pt. Thurber Tract, north side of Clifton street, 8th ward, 33 feet front, 33 feet rear, and 162 feet deep, and that the owner of said property should pay as his portion of Clifton st. improvement the sum of \$16.17, upon payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.
By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241 and 242, of the 100 Acre Tract, West Main street, 1st Ward, was assessed for East and West Main street sprinkling No. 1,990, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$10.15, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879, to Thos. C. Montgomery, viz:

Lots No. 241 w pt and 242 e pt, 100 Acre Tract, south side of West Main street, 1st Ward, 55 feet front, 55 feet rear, and 98 feet deep, and that the owner of said property should pay as his portion of East and West Main street sprinkling No. 1,990 the sum of \$10.15, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.
By Ald. Warren—Whereas, Lot No. 192, 193, 194, 241, and pt 242 of the 100 Acre Tract, West Main street, 1st Ward, was assessed for West Main street repairs, No. 1970, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$12.38, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879 }

George D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the General City Tax for the year 1879 to Thomas C. Montgomery, viz:

Lot No. 241 W. pt. 242 E. pt. 100 Acre Tract, south side of West Main street, 1st ward, 55 feet front, 55 feet rear, and 98 feet deep, and that the owner of said property should pay as his portion of West Main Street repairs, No. 1970, the sum of \$12.38, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) AUGUSTUS M. KOETH,
WM. MAHER,
D. MCKAY, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., June 3d, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer

Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194, 241 and part of 242 of the One Hundred Acre Tract, West Main street, First Ward, were assessed for Buffalo Street Bridge Approaches, No. 1,821, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$12.10 with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSOR'S OFFICE, }
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, City Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Thomas C. Montgomery, viz: Lot No. 241 w. pt., and 2 1/2 e. pt., One Hundred Acre Tract, south side of West Main street, First Ward, 55 feet front, 55 feet rear and 93 feet deep, and that the owner of said property should pay as his portion of the assessment for Buffalo Street Bridge Approaches, No. 1,821, the sum of \$12.10, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., June 3d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241 and part 242 of the 100-acre tract, West Main street, 1st Ward, was assessed for the Genesee Valley Canal swing bridge, No. 1,795, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$4.68, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., June 3, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Thomas C. Montgomery, viz:

Lot No. 241, w pt 1/2 e, pt 100-acre tract, south side of West Main street, 1st Ward, 55 feet front, 55 feet rear, and 93 feet deep, and that the owner of said property should pay as his portion of the assessment for Genesee Valley Canal swing bridge, No. 1,795, the sum of \$4.68, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed.)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., June 3d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald Warren—Whereas, Lot No. 192, 193, 194, 241, N. E. pt. 242 of the 100 Acre Tract, West Main street, 1st ward, was assessed for the general city tax for the year 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax, upon the payment of \$73.80, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the general city tax for the year 1878 Thomas Montgomery, viz:

Lot No. 241 W. pt. 242 E. pt. 100 Acre Tract, south side of West Main street, 1st ward, 55 feet front, 55 feet rear, and 93 feet deep, and that the owner of said property should pay as his portion of general city tax

for the year 1878 the sum of \$73.80, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHAR,

Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., June 3d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots No. 294, 295 and parts 296, 297 of the Thurber Tract Clifton street, 5th Ward, was assessed for the General City Tax, for 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$17.30, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, Treasurer:

SIR.—We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Jas. R. Bennett, viz:

Lot No. 296, mid. part, Thurber tract, north side of Clifton street, 5th Ward, 33 feet front, 33 feet rear, and 126 feet deep, and that the owner of said property should pay as his portion of the General City Tax for 1878, the sum of \$17.30 upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., June 3d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Alderman Warren—Whereas, Lots No. 394, 295 and parts 596 and 297 of the Thurber tract, Clifton street, Eighth ward, was assessed for general city tax for 1877, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors dated June 3d, 1879, and on file in the Treasurer's office, a copy of which is attached here, be released from the lien of such tax upon the payment of \$22.42, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., June 3d, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1878, to Jas. R. Bennett, viz:

Lot No. 296 m. pt. Thurber tract, north side of Clifton street, Eighth Ward, 33 feet front, 33 feet rear, and 162 feet deep,

and that the owner of said property should pay as his portion of the General City Tax for 1877 the sum of \$22.44, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

[Signed]

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., June 3d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted

By Ald. FitzSimons—Resolved, That the Treasurer be and is hereby authorized, whenever it shall become necessary, to borrow upon the city's notes the following amounts and charge the discount to contingent fund:

One hundred and fifty thousand dollars to pay interest on bonds due July 1st, 1879.

Twenty-five thousand dollars for the current expenditures of the several funds provided in the tax levy just passed.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

By Ald. FitzSimons—Resolved, That the Clerk be and is hereby instructed to notify Messrs. Ellwanger & Barry that provision has been made for the payment of their contract for land at Mt. Hope reservoir, and that the Water Works and Fire Board be requested to pay the same upon a proper deed being furnished and a release for all damages as specified in their contract being executed.

Also, that the Treasurer be and is hereby authorized when it may be necessary to borrow upon the city's notes the amount required to pay said contract.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The matter of the deposits of the city in sundry banks came up.

Ald. Hart moved to postpone until the first meeting in July next.

Lost by the following vote :

Ayes—Ald. FitzSimons, Vay, Wickens, Edelman, Weaver, Knobles Hart—7.

Nays—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville—9.

Ald. Hart moved to postpone until the next regular meeting. Adopted.

The resolution of Ald. Westbury offered at the previous meeting in relation to the system of lighting the city came up.

Ald. Chace moved the adoption of the resolution.

Ald. FitzSimons offered the following resolution as a substitute, and moved its reference to the Lamp Committee to report at the next meeting :

Whereas, Complaints have arisen in regard to the present system of lighting the public gas lamps, some of which are to be attributed to unfavorable circumstances and the negligent carrying out of the printed programme as to the time of lighting; therefore,

Resolved, That the Lamp Committee be and it is hereby authorized and directed to employ a competent person, whose duty it shall be to report monthly to the Common Council any violations of the contracts for street lighting which may occur, either in time of lighting or quantity or quality of light furnished, or on other matters pertaining thereto; such person to be empowered, under their general direction, to cause the gas lamps to be lighted at any and all times previous to 12 o'clock at night, when in his judgment or that of the committee the present system shall be deemed insufficient to furnish the required light up to the hour named.

Ald. Chace moved the previous question. Lost by the following vote :

Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Hart—7.

Nays—Ald. Tracy, FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver, Hart—9.

Ald. Warren moved that the whole matter lie on the table until the next meeting. Lost by the following vote :

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Weaver, Knobles, Hart—7.

Nays—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman—9.

Ald. Warren moved that the whole subject be referred to the Lamp Committee, to report at the next meeting.

Lost by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Mandeville, Weaver, Knobles, Hart—8.

Nays—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman—8.

Ald. Fitz Simons moved to adjourn.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Mandeville, Vay, Weaver, Knobles, Hart—9.

Nays—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Wickens, Edelman—7.

The Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, June 5th, 1879.

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. FitzSimons, Westbury, Otis, Warren, Hebing Crouch, Chambers, Chace, Wickens, Weaver—10.

Absent—Ald. Tracy, Mandeville, Vay, Edelman, Knobles, Hart—6.

MAYOR'S OFFICE,
ROCHESTER, N. Y., June 5, 1879. }

Edward Angevine, City Clerk :

Please call a special meeting of the Common Council for this evening at 7½ o'clock.

Subject—Consideration of the petition of property owners of West Main street in relation to the erection of telegraph poles.

CORNELIUS R. PARSONS, Mayor.

Ald. Westbury moved that the resolution heretofore adopted, giving permission to the American District Telephonic Exchange to set poles in the streets, be reconsidered. Adopted.

By Ald. Crouch, as an amendment :

Resolved, That permission be granted the American District Telephone Company to set poles in the streets of the city, under direction of the Executive Board, providing that the consent of owners of property in front of which the poles are to be placed, is obtained, and that the wires shall not be lower than twenty feet from the ground.

Ald. Westbury accepted the amendment.

Ald. Westbury moved as an amendment that the words "and wires" be inserted after the word "poles."

Ald. Hebing, as a substitute—That the matter be deferred until the next regular meeting, and that the American District Telephone Company be directed to suspend operations until the decision of the Council is given; that the subject be referred to the Law Committee and City Attorney to report at the next regular meeting. Adopted.

Ald. Hebing moved that the Board adjourn. Adopted.

EDWARD ANGEVINE,
City Clerk.

In Common Council, June 12, 1879.**SPECIAL MEETING.**

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Otis, Hebing, Crouch, Chace, Edelman, Weaver, Hart—8.

Absent—Westbury, Warren, Chambers, Mandeville, Vay, Wickens, Knobles—7.

MAYOR'S OFFICE, }
ROCHESTER, June 12, 1879. }

Edward Angevine, City Clerk:

Please call a special meeting of the Common Council, at the Common Council Chamber, at 10 o'clock, Thursday forenoon, June 12, 1879,

Subject: Election of Directors in the Genesee Valley Railroad Company.

CORNELIUS R. PARSONS, Mayor.

Ald. Fitz Simons moved that the Board proceed to ballot for seven directors on behalf of the city, in the Genesee Valley Railroad Company. Adopted.

FIRST DIRECTOR.

John Lutes received 9 votes, and was declared elected.

SECOND DIRECTOR.

Johnson I. Robbins received 9 votes, and was declared elected.

THIRD DIRECTOR.

Daniel W. Powers received 9 votes, and was declared elected.

FOURTH DIRECTOR.

James Brackett received 9 votes, and was declared elected.

FIFTH DIRECTOR.

Gilman H. Perkins received 9 votes, and was declared elected.

SIXTH DIRECTOR.

Chauncey B. Woodworth received 9 votes, and was declared elected.

SEVENTH DIRECTOR.

Geo. Ellwanger received 9 votes, and was declared elected.

Ald. Tracy asked and obtained unanimous consent to offer the following:

Resolved, That Ald. Otis, Fitz Simons, Weaver, Crouch and Hebing be a committee on the part of the Board to act with committees of the New York State Press Association, at the annual meeting of that body in this city. Adopted.

On motion of Ald. Hart the Board then adjourned.
EDWARD ANGEVINE,
City Clerk.

In Common Council, June 17, 1879.**REGULAR MEETING.**

Present.—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Hart—13.

Absent—Ald. Vay, Weaver, Knobles—3.

Ald. Chace, President of the Board, presiding. The minutes of the previous meeting were approved as published in the book of proceedings.

Ald. Tracy moved that the regular order of proceedings be suspended. Adopted.

MISCELLANEOUS BUSINESS.

By Ald. Otis—Resolved, That the Treasurer be and is hereby authorized to draw the city's notes for thirty-five thousand dollars and get the same discounted and charge discount to Contingent Fund, the same being to renew notes of like amount maturing July 1st.

Adopted by the following vote:

Ayes—Ald. Tracy, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Wickens, Edelman—9.

By Ald. Otis—Whereas, David E. Phillips has been assessed upon assessment roll for North avenue improvement, No. 1984, for 45 feet front upon said avenue; and,

Whereas, Said Phillips owns but 40 feet, and has been so assessed upon the general assessment rolls for the past three years.

Resolved, That the Clerk draw an order in favor of the Treasurer for the sum of \$15.18, and that the Treasurer be and is hereby directed to credit such order upon the assessment of said Phillips for Northavenus improvement, No. 1984, and charge erroneous assessments.

We hereby certify that the above preamble is in accordance with the facts, and that the resolution should be passed.

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

Adopted.

By Ald. Otis—Whereas, Lot No. 19, pt of the Smith Tract, Rowley street, 7th Ward, was assessed for the improvement of Rowley Street, ordinance No. 1907, under one valuation and in one amount, and is now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated June 16th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$77.47, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., June 16th, 1879

George D. Williams, Treasurer:

Sir: We, the Assessors of the city of Rochester, do hereby certify that the following described property has been assessed upon the assessment rolls for the General City Tax for the year 1878 to Charles Henry Joy, viz:

Lot No. 6, S. W. pt. Joy's Sub'n of pt. of Smith Tract, East side of Rowley street, 7th Ward, 42 2-10 feet front, and 42 2-10 feet rear, and 153 feet deep and that the owner of said property should pay as his portion of Rowley Street Improvement No. 1,907 (2d and 3d payment) the sum of \$77.47 with expenses and interest, will be entitled to a release from the lien of the same upon the above described land.

(Signed) AUGUSTUS W. KOETH,
WM. MAHER,
D. MCKAY,
Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., June 16th, 1879 }

(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

CITY CLERK'S OFFICE,
ROCHESTER, N. Y., June 14, 1879. }

To the Honorable the Common Council:

GENTLEMEN—The assessors of the city of Rochester, in accordance with the provisions of the city charter, have this day delivered to me the general assessment rolls for 1879, and I report them to you for confirmation.

Very respectfully,
EDWARD ANGEVINE, City Clerk.

Ald. Otis moved that the rolls be confirmed. Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman—12.

By Ald. Otis—Resolved, That the city's interest in the following tax sale be assigned to B. M. Baker upon his paying the amount of the tax, interest and expenses to the date of the assignment:

2d Ward—Jarvis Lord, lot No. 6 and lot of land (Granite Mills) Frankfort Tract, on the east side of Brown's race.

By Ald. Mandeville—Resolved, That the students of the Rochester Free Academy be granted permission to occupy the City Hall June 26th and 27th for their usual commencement exercises. Adopted.

By Ald. Otis—Petition of Thomas Kirby to erect wooden building, and moved that permission be granted. Adopted.

By Ald. Crouch—Petition of G. Probst to erect a wood building, and moved that permission be granted. Adopted.

By Ald. Edelman—Petitions of Harris Fisher and G. J. Nyerbius to erect wood buildings. Also, remonstrance against the latter petition. Referred to Wood Building Committee and Fire Marshal.

By Ald. Edelman—Petition for sewer in Putnam street. Referred to Sewer Committee.

By Ald. Hart—Petition of Margaret Farber. Referred to Law Committee.

Ald. Otis moved to adjourn until next Tuesday evening.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens—11.

Nays—Ald. Edelman, Hart.

EDWARD ANGEVINE, City Clerk.

In Common Council, June 24, 1879.

ADJOURNED REGULAR MEETING.

Ald. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the previous meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Tracy—Bills of

National Gas Co	\$ 566 67
Union and Advertiser; printing blanks	10 00
Rochester Gas Co, lighting, &c.	1317 47
Benj. F. Thomas, lamp posts	24 00
J H Howe, cocks and burners	64 50
C A Jeffords, lighting kerosene lamps	721 25
P Burke & Co, lamp posts	24 00
Goodale & Pells, burners	23 68

Referred to Lamp Committee.

By Ald. Tracy—Petition of Joseph Kelly to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Otis—Petition of J. C. Lauer to open Fox alley. Referred to the Committee on Opening and Alteration of Streets.

By Ald. Otis—Bills of

John O'Rourke, board of horse	\$ 36 00
B Holley, services	30 00
H H Langworthy, services	10 00

Referred to Health Committee.

By Ald. Hebing—Petition of tax payers to improve Franklin square. Referred to Park Committee.

By Ald. Hebing—Bill of John Quin. Referred to Law Committee.

By Ald. Crouch—Bills of

Gerling Bos, flour and meal	\$ 127 00
H Kondolph, bread	103 80
A Bauerschmitt, meat	100 00
Geo Bastian, bread	37 07
Union and Advertiser, printing	10 00
L M Gould, groceries	5 00
Smith, Perkins & Co, groceries	64 26
Smith, Perkins & Co, groceries	11 55
Rhinehart & Kohler, meat	25 00
F Deininger, bread	137 60
Goetzman & Son, soap	81 35
M Bulkley & Co, grocery	31 50

Referred to Poor Committee.

By Ald. Chambers—Bills of

Union and Advertiser, printing tax report	\$ 112 00
.. .. . blanks for Treasurer	116 00
.. .. . printing for Surveyor	23 50
.. .. . pub'ing proceed'gs, &c	743 23
.. .. . for City Attorney	13 00
Orrin Backus, surveyor's stakes	33 00
Scrantom & Wetmore stationary for may	35 00

Referred to Contingent Expense Committee.

By Ald. Mandeville—Bills of

J. Minges, wood	\$ 4 50
J. H. Howe, plumbing	53 81
I. F. Carter, carpets for Fire and Water Board	60 37
A. H. Cork, brooms, mop, &c.	6 26
George Engert & Co., coal	16 50
L. C. Lanlie, coal	25 50
Wm. Connors, hardware, &c.	13 41
Wray & Ellwood, keys and repairs	13 50

Referred to City Property Committee.

By Ald. Mandeville—Resolved, That the City Property Committee be and they are hereby authorized to rent the rooms in the city building on Front street as they may deem for the best interest of the city, and that his Honor the Mayor be requested to execute all leases pertaining to the above. Adopted.

By Ald. Mandeville—Whereas, The Common Council of the City of Rochester and the New York Central and Hudson River Railroad Company have agreed upon the basis of a plan for the alteration and improvement of two of the streets of said city, known as East Main and Goodman streets, whereby East Main street is to be carried over the railroad of said company, by means of a bridge, and approaches of the character, width and height as agreed; and Goodman street is to be so altered as that the same shall cease to cross said railroad, as it now does, and that by means of such alteration all public or other travel thereon may pass over said railroad by means of said bridge; therefore

Resolved, That the Common Council of the city of Rochester judge that the public good requires that said streets, and each of them, should be altered so as to carry into effect the plan aforesaid; and as an essential thereto it is further

Resolved, That said Goodman street be and is hereby altered as follows, to wit: All that part of said street described as follows: Beginning at the intersection of the west line of said street with the south line of the land of the said company, thence easterly along the south line of said company's land to the east line of said street, thence northerly along the east line of said street to the north line of the land of said company, thence westerly along the north line of said company's land to the west line of said street, thence southerly along the west line of said street to the place of beginning, being no longer necessary or useful to the public as a

part of said street as herein altered is abandoned, and that in lieu thereof the course of said street in the altered part thereof be, and is hereby declared to be, as follows, viz: Beginning on the west line of Goodman street at a point 125 feet south at the intersection of the south line of said company's land with the west line of Goodman street; thence westerly along the south line of the Hair property 378 60-100 feet to the northwesterly corner of the Wamsley lot and on the continuation of said line and in a curved line to a point on the southerly line of Main street, 84 feet distant easterly from the northwest corner of the Hair property; thence easterly along the south line of said Main street 60 feet; thence southerly and easterly parallel with the first-mentioned line and 60 feet northerly therefrom to the west line of Goodman street; thence southerly on the west line of Goodman street 60 feet to the place of beginning, according to a map and survey of said street on file in the office of the City Clerk. Adopted.

By Ald. Weaver—Petition of Wesley Mandeville for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Weaver—Petition of Valentine Brasch for alleged illegal assessment. Referred to Law Committee.

By Ald. Weaver—

Resolved, That the Poor Committee be and they are hereby authorized and instructed to advertise for proposals and receive bids for furnishing the Poor Department with supplies, embracing such articles and in such quantities as in the opinion of said Committee shall be for the best interests of the said Poor Department, reporting to this Council the result of their action, with recommendations.

Adopted.

By Ald. Weaver—

Resolved, That the Overseer of the Poor be and he is hereby directed to first obtain the written consent of the Committee of this Council on the support and relief of the poor before removing any person hereafter to any hospital or asylum of this city when such person is to be supported and maintained at the city's expense, except in cases of accident when the immediate transfer of the person injured is demanded. Adopted.

By Ald. Weaver—

Resolved, That the Overseer of the Poor be and he is hereby instructed to transfer under the direction of the Poor Committees from the City and St. Mary's hospitals, to the county alms house and hospital, all such persons as in the discretion of said committee ought to be removed add who are maintained at the city's expense. Adopted.

By Ald. Knobles—Petition for a plank walk in Ames street. Referred to Improvement Committee.

By Ald. Hart—Bills of

J. R. Chamberlain, case and repairs.....	\$ 12 50
Wm. S. Pells, printing.....	5 00
Evening Express Co., printing.....	30 00
Rochester Printing Co., printing.....	19 25
S. A. Pierce, medical services.....	36 00
Alex. McLean, expenses for May.....	70 24

Referred to Police Committee.

By Ald. Hart—Petition for water pipes in Vick Park, and moved that the prayer of the petitioners be granted.

Ald. Hebing moved that the petition lie on the table. Adopted.

By Ald. Hart—Petition for sewer in Union street. Referred to Sewer Committee.

By Ald. Warren—Petitions of C. W. Owens and E. S. Ettenheimer for remission of taxes. Referred to Assessment Committee.

By Ald. Warren—Petition for water pipes in Scrantom street. Referred to Water Works Committee and Water Board.

By Ald Warren—Petition of Mrs. Hogan and Mr. Shultz for remission of fine imposed upon them in the Police Court.

Ald. FitzSimons moved that the Clerk draw an order in favor of the above named petitioners for \$5 each and charge police fund. Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chas, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald Westbury—Petition of Eli H. Daniels for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald Chambers—Petition for a plank walk on Champlain street. Referred to Improvement Committee.

By Ald Chambers—Petition of John Red head for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act.

By Ald. Chambers—Petition of taxpayers to remove the fence around Madison Square. Referred to Park Committee.

By Ald. Chambers—Resolved, That the Park Committee be requested to remove the fence around Madison Square in accordance with the petition signed by the taxpayers surrounding the square. Adopted.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee, Ald. Otis, from the Health Committee, Ald. Crouch, from the Poor Committee, Ald. Chambers, from the Contingent Expense Committee, Ald. Mandeville, from the City Property Committee, Ald. Hart, from the Police Committee, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Hart—

REPORT OF THE POLICE CLERK FOR THE MONTH OF MAY, 1879.

POLICE COMMISSIONERS' OFFICE, }
June 14, 1879. }

To the Honorable the Common Council:

GENTLEMEN :—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of May, 1879, together with the amount collected:

May	Crime.	Penalty.	Paid.
1—John I. Miller,	assault,	\$15	
Abram Arnold,	vio. ord.,	5	\$5
3—Fred. Buell,	drunk,	10	
Mary Buell,	..	10	
5—Frank Baldwin,	..	5	5
Johanna Moran,	..	5	
Fred. Nutnagle,	..	10	5
Pat'k McGratton,	..	10	5
Chas. McNameara,	..	10	10
Eliza Sheehan,	..	10	
Paul Cusick,	..	10	5
Leman Barton,	..	5	
Chris. Babcock,	..	5	5
6—Bridget Joyce,	drunk,	5	
Fred. Curlett,	vio. ord.,	5	5
Geo. Lingham,	..	50	
7—James Tool,	drunk,	10	
Wm. Lawrence,	..	10	
John O'Neil,	..	5	
James Simpson,	vio. ord.,	10	
Louis Hess,	..	10	5
Geo. Cooper,	..	2	2
Martin Laffan,	..	2	2

John Cooper, ..	2	2
Mich. Moore, ..	2	2
Wm. Snyder, ..	5	5
Rich. J. Everts, petit larceny,	35	35
Henry Bigler, drunk,	10	10
Anthony Lerch, ..	10	10
Mich. Lynch, ..	10	10
Joseph Klinger, vio. ord.,	5	5
Hiram Hunt, assault,	10	10
9-Adam Havery, drunk,	5	5
Abraham Hencky, ..	10	10
10-Margaret Madjwick, vio. ord.,	5	5
12-James Manigan, drunk,	5	5
Frank Lytle, assault,	5	5
Frank Arnold, ..	5	5
Joseph Donivan, drunk,	10	10
Adam Masle n, malicious trespass, cost	5	5
Robt. Frier, drunk,	5	5
Wm. Kennelly, ..	5	5
James Connolly, assault,	10	10
13-Thos. Kernan, drunk,	10	10
Peter McSweeney, ..	5	5
Frank Mulvey, assault,	10	10
Mathew Henon, vio. ord.,	2	2
Dennis Finnegan, ..	2	2
Ann Eggleston, old fine,	5	14
14-James Tierney, assault,	5	5
Martin Flaannigan, ..	5	5
Wm. G. Reed, ..	5	5
15-Fanny E. Williams, vio. ord.,	50	50
Elen Ferry, drunk,	10	10
Frank Flan, ..	10	10
16-John Meyer, ..	10	10
Walter Keefe, ..	5	5
David Brennan, ..	5	5
17-Nicholas Meyer, assault,	5	5
19-James Rolon, drunk,	10	10
John Hilbert, assault,	5	5
Ernst Balke, vio. ord.,	2	2
John Emperor, drunk,	10	10
James Butler, assault,	10	10
Conrad Meyer, petit larceny, cost	2	2
20-Hugh Graham, drunk,	5	5
Erd. Stoub, ..	10	10
Geo. Youngs, ..	10	10
Annie Rowe, ..	10	10
Geo. Rowe, ..	10	10
21-Thos. Gorman, ..	5	5
Elen Columbus, ..	5	5
Henry P Wilson, drunk,	5	5
22-Jon Day, ..	5	5
24-Lottie Robinson, ..	10	10
Thos Mack, ..	10	10
Thos Hughes, assault,	25	25
Lorenzo Winslow, vio. ord.	10	50
26-Gurdin yellogg, drunk,	5	5
John Shannon, ..	5	5
Geo. J. Cramer, vio. ord.,	50	5
Chas. Huxley, petit larceny,	50	5
Cornelius Sullivan, drunk,	5	5
Thos. Hurley, ..	10	5
Peter Hammond, ..	5	5
Thos. Courtney, ..	10	10
27-John McFarlin, ..	10	10
Patrick Burns, ..	5	5
28-Martin J. Forbes, ..	5	5
Edward Osborn, ..	5	5
John Eagan, ..	10	10
Lewis Meyering, ..	5	5
John McCue, ..	10	10
Daniel Harrington, ..	10	10
James E. Olney, ..	10	6
Mathew Dodson, vio. ord.	10	6
29-Lawrence Heberling, drunk,	10	10
John Nienerhausern, assault,	5	5
30-Chas. Kimball, drunk,	5	5
Samuel G. Sturge, ..	cost	2
31-John Egan, ..	5	5
John Webberly, ..	5	5
Morris Marks, ..	5	5
John Woolford, ..	5	5
Joseph Rush, ..	5	5

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of May, 1879, is true.

B. FRANK ENOS, Clerk.
Sworn to before me this 16th day of June, 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.
By Ald. Vay—Petition to lay water mains in Orchard street, from West Maple street to Orange street.

Referred to Water Works and Fire Board.
By Ald. FitzSimons—Petition of Lewis Selye in relation to taxes paid under protest.
Referred to Law Committee.

By Ald. FitzSimons—Petition of Mrs. Josephine Goodwin for remission of taxes.
Referred to Assessment Committee.

By Ald. Weaver—Petition for water pipe in Lincoln street.
Referred to Water Works Committee and Fire Board.
By the Clerk—

OFFICE OF THE WATER WORKS AND FIRE BOARD OF THE CITY OF ROCHESTER.
ROCHESTER, N. Y., June 24, 1879.

To the Hon. the Common Council:
GENTLEMEN—In pursuance of law, the Water Works and Fire Board respectfully recommend to your Honorable Board that Water mains be laid during the present season in the streets named in the following list.

The Board also desire to call your attention to the importance of an early decision in regard to this whole matter, as more favorable contracts can be made for all the materials needed than for small quantities, and it is now so late in the season that the work should be commenced at the earliest possible moment that it may be completed before the wet and freezing weather of the late Autumn.

Respectfully submitted,
C. C. WOODWORTH,
V. FLECKENSTEIN,
Water Works and Fire Board.

By Ald. Weaver, from the Water Works Committee:

To the Common Council:
Your committee on water works beg leave to report that they have examined the petitions of citizens asking for an extension of water pipes in various streets of your city not now supplied with water, and after having visited said streets and made a personal investigation of the necessities demanding the laying of said water pipe, would recommend as follows: That the prayer of the petitioners be granted and the following resolution be adopted:

Resolved, That the Water and Fire Board be and they are hereby authorized and instructed to lay pipes in the streets as designated in the following schedule.
D. G. WEAVER,
Chairman.

List of streets in which it is recommended to the common council to direct water pipe to be laid during the season of 1879, by the water works and fire board:

SECOND WARD.			
Street wherein.	No. of house.	Linear feet pipe.	Amount
Warehouse, from Platt to Brown	.....	8 6 4	650 422 50
FOURTH WARD.			
Cedar from Elm to Sycamore	.....	.....	230 150 00
FIFTH WARD.			
Almira, from Gorham to Lowell	..... 15	.....	650 300 715 00
Oakman, from present end to N. Clinton, house No. 45 and school house	.....	1080 50	896 50
N. St. Paul, from present end to Avenue A	.....	500	532 50
Galusha, from Lowell to Oakman	.....	830	677 00
SIXTH WARD.			
Hudson, from present end to N. Y. C. R. R.	.....	260	208 00
Amity, from North to Chatham	.....	250	162 50
SEVENTH WARD.			
Cobb, from Alexander to Averill	..... 12	.....	520 338 00
George, from Manhattan to Savannah	..... 5	.....	450 292 50

Savannah, from George to Monroe avenue.....	930	598 00
Griffith, from Broadway to Pearl.....	200	136 00
Edmonds, from Monroe avenue to Pearl.....	920	598 00
EIGHTH WARD.		
Adams, from Present end to G. V. canal.....	513	331 50
Brown, from Present end to West avenue.....	920	598 00
Frost Ave., from Reynolds to Francis.....	16	710 461 50
George park, from Clifton to End of Park.....	200	130 00
Waverly place, from Julia to G. V. canal.....	460	299 00
Julia, from Troup to Atkinson.....	450	292 50
Cady, from Francis to Reynolds.....	14	800 520 00
Hunter, from Francis to Summer alley.....	28 1400	40 1,426 00
Cady, from Reynolds to Seward.....	800	520 00
Seward, from Champlain to Cady.....	800	400 00
Champlain, from Francis 450 inches west.....	455 10	366 50
NINTH WARD.		
Boivar, from Smith to Lyell.....	37	1030 20 837 00
Bloss, from Fulton avenue to Backus avenue.....	19	50 750 527 00
Emerson, from lot 27 to lot 49.....	440	286 00
Perkins, from Lake avenue to Fulton avenue.....	350	227 50
Thompson, from Lyell to Lorimer.....	950 50	792 50
Lorimer, from Frank to Saratoga avenue.....	640 10	10 646 00
Thompson, from Lorimer to Costar.....	600	480 00
TENTH WARD.		
East Main, from Union to Alexander.....	950	20 1,476 00
ELEVENTH WARD.		
Sherman, from Lyell to Myrtle Hill park.....	1000	50 832 50
Campbell, from Grape to Child.....	53 60	1060 80 1266 50
Romeya, from Magne to Grape.....	40	1050 80 900 00
Walnut, from Jay to Wilder.....	800	520 00
Orange, from Whitney to Child.....	20	150 10 446 50
Smith, from Grape to Saxton.....	800	80 692 00
TWELFTH WARD.		
Van, from Alexander to Hamilton place.....	340	221 00
Ashland, from present end to Manger.....	150	97 50
Whitmore pk, from Meigs to Mt. Vernon avenue.....	500	325 00
THIRTEENTH WARD.		
Chatham, from Kelly to Baden.....	400	260 00
Helena, from Hudson to North.....	18	720 60 615 00
Morris, from N. Clinton ½ way to St. Joseph.....	19	540 351 00
McDonald ave., from N. Clinton to St. Joseph.....	96	40 100 604 50
North, from Channing to Mark, 370 feet 12-inch and 500 feet 10 inch pipe.....	40	100 1,270 50
Selling, from N. Clinton to St. Joseph.....	42	1200 20 973 00
Baden, from St. Joseph to Hudson.....	60	1400 910 00
Hope, from Hanover to Hudson.....	750	487 50
FOURTEENTH WARD.		
Finney, from Ontario to Kirk.....	350	227 50
Gibbs, from University ave to Delevan.....	270	175 50
Kirk from North to Scio.....	58	1250 80 1,052 00
Hollister, from Stevens and present end North to 150 South Clifford.....	700 70	605 50
Total.....		\$29,171 50

Ald. Fitz Simons moved that the matter lie on the table until the next regular meeting.
The City Attorney was heard in the matter.
By Ald. Crouch—

ROCHESTER, N. Y., June 23, 1879.

GENTLEMEN—My opinion is asked as to whether you have, notwithstanding the law approved by the Governor June 20th, the power (which I construe to be the equivalent of the right) to expend the thirty-five thousand dollars already included in the tax levy for this year. I answer, yes! That money was voted before the passage of the law in question, or at least before it was approved, and will be the limit of your expenditures for this year.

The words "nor expend a greater sum annually therefor" relate to and are to be construed with the preceding part of the sentence and have reference to "a year" in which the annual statement of moneys needed by your Board is limited to twenty-five thousand dollars. Yours, Respectfully,

W. F. COGSWELL.

Messrs. Woodworth and Fleckenstein, Water Works and Fire Board.

Ald. Hart moved the adoption of the report.
Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Nays—Ald. Fitz Simons—1.
By Ald. Hebing—

To the Common Council of the City of Rochester:

Your Law Committee to whom was referred the question as to the power of the Common Council of this city to grant permission to persons or corporations to erect telegraph poles in the public streets of said city hereby report: that after a careful examination of the law applicable thereto it is the opinion of the Committee that no person has the legal right to erect said poles in any of the public streets in this city without first obtaining the permission of the Common Council and where the fee of the street is in the owners of adjoining property, then permission of such owners must also be obtained in front of whose premises said poles are to be erected.

Where the City owns the fee of the entire street then, perhaps, permission of the Common Council would be sufficient, but your committee would recommend that in all cases where application is made to the Common Council for permission to erect telegraph poles in any street the applicant should be required before such permission is granted to obtain the consent of the owners of property in front of whose premises said poles are to be erected.

All of which is respectfully submitted.

Dated June 24th, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Adopted.

To the Common Council of the City of Rochester:

Your Law Committee would report that Simon Sexsmith, who is about seventy years of age, alleges that on or about the 21st day of January last, while walking on the sidewalk, on the west side of North street, between Hel-

ena and Foechner streets, in this city, without any fault or negligence on his part, he slipped and fell, whereby his left arm was broken and his shoulder dislocated; from which injuries he is still suffering, and probably will never fully recover therefrom. He further alleges, that at the time and place of the accident the snow and ice upon the sidewalk was about two feet deep, and had remained in that condition for several weeks prior thereto, and that there had been no attempt on the part of any one to remove said snow and ice from off of any part of said sidewalk. He further alleges, that some one had dug out across said walk to the depth of from 8 to 12 inches, a track wide enough for a sleigh to pass through, and that it was afterwards ascertained that said cut was made in said snow to enable a sleigh loaded with coal to pass over said walk on to the premises adjoining the same; that as he came along, although in the day time, he did not discover that there was any cut made in the snow over said walk, it being all of the same appearance, perfectly white, and the walk apparently comparatively level, he accidentally stepped into said cut, slipped, fell and received the injuries aforesaid. The committee have investigated this case and believe the foregoing statement to be substantially correct. Mr. Sexsmith has commenced an action, which is now pending in the Monroe County Court, in which he claims to recover one thousand dollars for the injuries aforesaid. He has submitted a proposition to your committee, to compromise and settle the whole matter, including costs, and discontinue the suit for the sum of \$200.00.

This amount will about cover the expenses he has already incurred, including loss of services, cost in suit and medical attendance. He is a poor man and cannot really afford to bear the loss he has sustained. Without expressing any opinion in regard to the city's liability in this matter, the committee believe it is a fit and proper case for adjustment and settlement, and therefore recommend the adoption of the following resolution:

Resolved, That the clerk draw the usual order on the Treasurer, for the sum of two hundred dollars, payable to the order of Paris G. Clark, for Simon Sexsmith, upon his delivering to him a proper discontinuance of the action aforesaid, and a release of all claims for damages against the city, to be approved by the City Attorney, and charge contingent fund.

All of which is respectfully submitted.

Dated June 24, 1879.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

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

GENTLEMEN: Your committee on assessments to whom was referred the petition of Levi Hotchkiss and other, asking an investigation into and re-adjustment of taxes on the lots on the east and west sides of the sewer recently made in North St. Paul street, respectfully report adversely to the prayer of said petition.

Said lots on the east side of said street are greatly benefitted by said sewer, whereas the lots on the west side of said street have the natural drainage of the high bank of the Genesee river. The lots on the west side having been assessed nearly one fifth of the whole amount for said sewer and laterals ought not to pay more than has been assessed against said lots and said petitioners, excepting two, have paid the said tax also at the time the sewer was completed. The lot owners on the east side of said street agreed to pay the heaviest portion of the expense of said sewer.

All of which is respectfully submitted.

June 24, 1879.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted.

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

GENTLEMEN—Your Committee on Assessments, to whom was referred the petition of Kasimir P. Jervis, praying for a cancellation of city taxes of 1871 of \$12.42 and for 1870 of \$8.50, on a certain piece or parcel of land on Sandford street, as set forth in said petition, inasmuch as the same was erroneously assessed to the Farmers' and Mechanics' Bank of Rochester as owner, whereas the fee to said premises was in one Lavinia C. Jervis.

Now your said Committee, after due deliberation thereon, respectfully report adversely to the prayer of said petitioner, inasmuch as provision is made in the City Charter that where property is assessed by error to other than the owner thereof, the tax shall follow the property and shall be due and collectable therefrom or from the actual owner thereof. Said tax has never been paid by said property or owner thereof.

All of which is respectfully submitted.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

June 24, 1879.

Adopted.

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

GENTLEMEN: Your Committee on Assessments, to whom was referred the petition of "Michael Schmidt" and others alleging unjust and inequitable taxation on behalf of the property owners on the south side of Tremont street, for constructing a sewer in said street, after examining the facts in the case, respectfully report adversely to the prayer of said petition for the following reasons, viz:

Firstly—All the lots on the north side of Tremont street between Francis and Saxe streets front respectively on Saxe, Morgan, St. Clair and Francis streets and are therefore liable to taxation for sewers in those streets.

Secondly—There is at the present time a sewer in Saxe street and

Thirdly—The cost of constructing the laterals to the lots on the north side of the sewer in Tremont street has been charged to said lots.

All of which is respectfully submitted.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted.

To the Commom Council of the city of Rochester:

Your Assessment Committee, to whom was referred the petition of George P. Draper, Esq., asking to have certain taxes assessed upon property owned by him cancelled, on the ground of the illegality of their assessment, would report: That there is quite a large amount of taxes assessed upon property owned by your petitioner remaining unpaid, some of which have been legally assessed and perfected and can be enforced, while a considerable amount of the rest, in the opinion of your committee, have either been improperly assessed or the proper steps have not been taken to enable the city to enforce a collection of the same. Your petitioner, in order to avoid litigation and to free his property from the assessment lien or incumbrance of the taxes unpaid, proposes to pay the whole amount of said taxes, both legal and those claimed to be illegal, and seven per cent. interest on each tax from time of its assessment in addition thereto. Your committee believe that the city will be the gainer by accepting this proposition, and would therefore recommend the adoption of the following resolution:

Resolved, That the Treasurer be and he hereby is instructed to cancel all the taxes now remaining unpaid assessed upon property owned by George P. Draper upon his paying to him the full amount of said taxes together with seven per cent. interest on each tax from the time of its assessment.

All of which is respectfully submitted.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Dated June 24th, 1879.

Adopted.

To the Hon. Common Council:

GENTLEMEN: The Finance Committee, to whom was referred the bill for the Allen street water pipe extension, would respectfully report that the extension of the water mains in Allen street, from Platt street to the canal, is a legitimate and necessary extension of said mains, and should in the opinion of your committee be paid out of the water pipe extension fund; we therefore offer the following:

Resolved, That the bill of the Water Works and Fire Board for laying water pipe in Allen street be paid out of and charged to Water Pipe Extension Fund.

M. H. FITZ SIMONS,
LYMAN M. OTIS,
E. K. WARREN,
Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Nays—Ald. Chambers.

FINANCE BUDGET.

ROCHESTER, N. Y., June 24, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

James Butler, hack hire	\$ 4 50
W. T. Hanford, serving notices	6 00
Joseph Corbin	4 52
A. G. Wheeler, disbursements	23 50
Union and Advertiser, pub. proceedings, 1 qr.	

to July 1st., as per contract	675 00
Express Printing Co., do, do	550 00
Rochester Volksblatt, do, do	175 00
Beobachter, do, do	175 00
Star, do, do	75 00

And charge that fund.

POOR DEPARTMENT FUND.

Johanna Yawman, bread	\$ 30 70
Geo. Schofield, transportation	83 60
Wm. Punch, burials	12 00
Elizabeth Madden, rent	10 00
Joseph Schulte, Overseer's disbursements	77 35
Smith, Perkins & Co., groceries	33 39
Home of Industry, bread	24 05
Mensing & Stecker, printing for Ex. Com's.	60 00
F. C. Glasser, shoes	35 00
John Groh	87 65
N. L. Brayer, meat	50 00
Geo. Zimmer	25 00
John Schwinger, bread	135 95
O. Oswald, shoes	23 25
O'Kane Bros., meat	50 00
Wm. Beaumont, meat	50 00

And charge that fund.

HEALTH DEPARTMENT FUND.

Sam'l Donnelly, Superintendent, salary May	\$ 60 00
Henry M. Heinold, Keeper Hope Hospital, salary April and May	100 00
John H. Mason, Inspector, salary April and May	100 00
Joseph Thompson, Insp'r., sal. April and May	100 00
James Cooper, Insp'r.	100 00
Heman Miller, Insp'r.	100 00
Orrin Harris, Insp'r.	100 00
John O'Rourke, sewer flusher	90 00
John Vance, sewer flusher	90 00

And charge that fund.

CITY PROPERTY FUND.

Roch. Gas Co., gas, City Hall and Front street building	\$142 95
Rogers & Converse, carpets	181 29
Hotchkis Bros., ice	30 50
Frank J. Irwin, cleaning, &c.	82 70

And charge that fund.

LAMP DEPARTMENT FUND.

Citizens Gas Co., gas and care of lamps, May	\$1,640 31
Rochester Gas Co., gas	1,365 26

And charge that fund.

POLICE DEPARTMENT FUND.

Hotchkis Bros., ice to May 15th	\$36 52
Alex. McLean, expenses for March	73 57
Alex. McLean, expenses for April	45 35

And charge that fund.

PARK DEPARTMENT FUND.

M. Culver, trees	\$38 00
------------------	---------

And charge that fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Vay—Resolved, That E. Merriam, Harris Fisher, G. I. Myerbius, Francis Yack, W. M. Benjamin, E. L. Hudstrum and H. E. George have permission to erect wood buildings under the direction of the Wood Building Committee and Fire Marshal. Adopted.

Ald. Chace, from the Special Committee on State Line Railroad, said he had a report ready to submit, but from information lately received he asked to defer the report until the next meeting, by which time he hoped the differences between all the parties would be amicably settled and the city receive its paid up and guaranteed stock.

Ald. FitzSimons moved a reconsideration of the resolution passed March last directing the Directors or Special Committee to enforce the demand for the surrender of the stock to the city.

Adopted by the following vote:

Ayes—Alds. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Otis moved that the resolution offered at the last meeting by Ald. FitzSimons be adopted.

Ald. Westbury moved as an amendment that the matter be referred to the Law Committee instead of the Finance Committee.

Ald. Crouch moved as a further amendment that the Law Committee be associated with the City Directors. Accepted by Ald. Westbury. Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—9.

Nays—Ald. Fitz Simons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

The original resolution as amended was then adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—10.

Nays—Ald. Otis, Warren, Mandeville, Vay, Wickens, Weaver—6.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, N. Y., June 17, 1879. }

Gentlemen of the Common Council:

I have complied with your request, and contracted with C. H. Babcock, Esq., for 1,500 tons of coal. In the absence of instructions, I have made the best terms possible in regard to payment, and in order that you may know what has been done, I furnish herewith a copy of the contract made.

CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

This agreement made this 10th day of June, 1879, between C. H. Babcock, of the City of Rochester, of the first part, and the City of Rochester, of the second part witnesseth:—The said party of the first part hereby agrees to sell and deliver as hereinafter stated, to the party of the second part (1500) fifteen hundred tons of anthracite coal of best quality, (nine hundred tons of chestnut and six hundred tons of stove size) to be delivered to consumers immediately upon the order of the overseer of the poor of said city, at their respective places of residence in said city, in quantities of not less than one quarter of a ton on each order, from time to time until the whole quantity is delivered. The party of the second part hereby agrees to pay to the party of the first part for said coal three dollars per ton for the chestnut and three dollars and four cents per ton for the stove size coal delivered under this agreement. The party of the second part agrees to pay to the party of the first part on or about the 15th day of July next \$3,000, to be applied in payment for said coal upon his giving satisfactory security, to be approved by the finance committee of the Common Council of said city, that said coal will all be delivered from time to time according to the terms of this agreement.

Whenever the party of the first part shall have delivered the requisite number of tons of coal which by the terms of this agreement the \$3,000 would pay for, then the party of the second part hereby agrees to pay monthly to the party of the first part for all coal delivered during each month until on or about the first day of May next, when the party of the second part is to pay for the balance of said fifteen hundred tons of coal undelivered.

In witness whereof the party of the first part has hereunto set his hand, and the party of the

second part, by its Mayor, has hereunto set his hand and caused the seal of said city to be hereunto affixed the day and year first above written.

Signed. C. H. BABCOCK,

CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, N. Y., June 17, 1867. }

To the Honorable the Common Council:

A few days ago I received the accompanying letter from Mr. Clark, the Superintendent of Public Works. The matter is an important one, and I trust you will take immediate action.

CORNELIUS R. PARSONS, Mayor.

STATE OF NEW YORK,
OFFICE OF SUP'T OF PUBLIC WORKS,
ALBANY, N. Y., May 22, 1879. }

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

GENTLEMEN: Some five years since, on application of the authorities of your city, the State constructed a very substantial iron bridge over the Erie canal at Goodman street in the city of Rochester, which bridge has never been used and has been of no benefit to your city. If it is not to be brought into use immediately, I propose to remove the structure to a locality where it will be of practical use and where it is badly needed.

An early reply will greatly oblige,

Very truly,
B. S. W. CLARK,

Superintendent of Public Works.

Ordered received, filed and published.

Ald. Crouch moved that the City Surveyor be requested to bring in an ordinance to open the street to Pinnacle avenue. Adopted.

The Clerk read a communication from Ex-Alderman James H. Kelly in regard to Lake avenue outlet sewer. Ordered received and filed.

By the Clerk—

ROCHESTER, N. Y., June 20, 1879.

Mr. George D. Williams, City Treasurer:

DEAR SIR: Enclosed please find my check for fourteen dollars, which the Committee on Decoration Fund desire to pay back into the city treasury.

After meeting all obligations the Committee found a small surplus on hand, and thought it but proper to remit *pro rata* back to the subscribers of the fund the balance, which is 14 per cent on the whole subscription.

Yours truly,
THOMAS J. HURLEY.

Ordered received, filed and published.

ROCHESTER, June 17th, 1879.

To the Common Council:

GENTLEMEN: By a vote of the City Central Committee of the National Party, the members of the Common Council are invited to attend the picnic to be held by said party on July 4th next, on Falls Field.

Respectfully yours,

JOHN HERRAN, Chairman.

H. H. CALE, Sec'y.

Ald. Warren moved that the invitation be accepted. Adopted.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., June 24, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized un-

Ordinance No. 2052, for improving White street has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$2,976.17. Yours respectfully, GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2052.

Whereas, The Common Council did upon the 18th day of March 1879, enact an ordinance for the improvement of White street:

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$2,976.17 including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of White street, from Frank street to Lake avenue. Therefore, Resolved, That the sum of \$2,976.17 being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and J. M. Koeth, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 28th of June, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote: Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE, }
ROCHESTER, June 24th, 1879. }

To the Hon. the Common Council: GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2007, for Allen street lift bridge has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$6,340.00.

Yours respectfully, GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,007.

ALLEN STREET LIFT BRIDGE.

Whereas, The Common Council did upon the 30th day of April, 1878, enact an ordinance for lift bridge at Allen street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$6,340.00, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land commencing at the intersection of Allen street with the west line of State street, thence southerly along the west line of State street and including one tier of lots on the west side thereof, to a point opposite the south line of Mumford street, thence easterly along Mumford street and including one tier of lots on the south side thereof to the Genesee river, thence northerly along the Genesee river to a point in line with the north line of Platt street, thence westerly on the north line of Platt street to the Genesee river, thence northerly along Platt street, thence still westerly along Platt street and including one tier of lots on the north side thereof, from Mill street to Allen street; thence westerly along Allen street and including one tier of lots on the north side thereof, to Crown street; thence westerly along Crown street to Clark street; thence northerly along Clark street and including one tier of lots on the east side thereof, to Grape street at Campbell street; thence westerly along the north line of Campbell street and in said line continued, including one tier of lots on the north side thereof, to the west line of the city; thence southerly along the west line of the city to the Buffalo of the New York Central & Hudson River Railroad; thence easterly along said railroad to Brown street; thence easterly along Brown street to Allen street; thence easterly along Allen street and including one tier of lots on the south side thereof, to the place of beginning.

Therefore, Resolved, That the sum of \$6,340.00, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said City so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 28th day of June, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote: Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., June 24th, 1879. }

To the Hon. the Common Council: GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,056, for Draper street pipe sewer has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$283.48. Yours respectfully, GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,056.

Whereas, The Common Council did upon the 22d day of April, 1879, enact an ordinance for pipe sewer in Draper street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$283.48, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Draper street from Concord avenue to North avenue.

Therefore, Resolved, That the sum of \$283.48, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 28th day of June, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote: Ayes—Ald. Tracy, Fitz Simon, Westbury, Otiss, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

FIRST ORDINANCES.

PIPE SEWER IN PUTNAM STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a 9 inch pipe sewer in Putnam street from a point 122 feet north of Helena street, to the sewer in Foehner street.

Also the necessary surface sewers, lot laterals and man-holes.

The Surveyor submitted as such estimate, \$305.

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

The construction of a 9 inch pipe sewer in Putnam street from a point 122 feet north of Helena street, to the sewer in Foehner street.

Also the necessary surface sewers, lot laterals and man-holes.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$355, which estimate is hereby approved.

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

One tier of lots on each side of Putnam street from a point 122 feet north of Helena street, to Foehner street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 1st, 1879, at 7½ o'clock; at the Common Council Chamber, when allegations will be heard.

Adopted.

PLANK WALK ON ALLEN STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk on the south side of Allen street, from the west curb line of Canal street to the east curb line of Litchfield street.

Adopted.
The Surveyor submitted as such estimate \$120.
By Ald. Wickens—Resolved, That the following improvement is expedient, viz:

The construction of a plank walk on the south side of Allen street, from the west curb line of Canal street to the east curb line of Litchfield street.

And whereas the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$120, which estimate is hereby approved;

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

One tier of lots on the south side of Allen street, from Canal street to Litchfield street.
And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, July 1st, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.
The final ordinance for a stone culvert over Deep Hollow creek at Sherman street came up. Ald. Knobel presented a remonstrance against the same, and moved that the ordinance be indefinitely postponed. Adopted.

The final ordinance for extending Lake avenue outlet sewer came up. Ald. Chace presented a remonstrance against the ordinance and moved that it be indefinitely postponed, and offered the following:

By Ald. Chace—Resolved, That the City Attorney be and he is hereby directed to take the necessary legal steps to secure the right of way for the extension of the Lake avenue outlet sewer through Deep Hollow, providing satisfactory arrangements for such right of way cannot be made by the Executive Board. Adopted.

EXTENDING LAKE AVENUE OUTLET SEWER.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of extending the Lake avenue outlet sewer from the centre of Lake avenue to the brink of the high falls in the Genesee river, the sewer as extended to be constructed of iron pipe and in tunnels, and the route to be through Deep Hollow ravine and in the vicinity thereof, reference for exact line of location being had to a map of the same, now on file in the City Surveyor's office. Adopted.

The Surveyor submitted as such estimate \$12,000.
By Ald. Edelman—Resolved, That the following improvement is expedient, viz:

The extension of the Lake avenue outlet sewer from the centre of Lake avenue to the brink of the high falls in the Genesee river, the sewer as extended to be constructed of iron pipe and in tunnels, and the route to be through Deep Hollow ravine and in the vicinity thereof, reference for exact line of location being had to a map of the same, now on file in the City Surveyor's office.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$12,000, which estimate is hereby approved.

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

All the property described by, and enclosed within, the following boundary lines, viz:

Beginning at the intersection of the east line of Lake avenue with the north line of McCracken street; thence northerly along Lake avenue, and including one tier of lots on the east side thereof, to the top of the hill, near the Sweeting property; thence southerly along Lake avenue and including one tier of lots on the west side thereof to Lake View Park; thence westerly along Lake View Park and including one tier of lots on the north side thereof to the western extremity of said park; thence westerly on the north line of said park produced, to the street at the east end of the Driving Park grounds; thence southerly along said street and including a strip of land 100 feet wide on the west side thereof to McCracken street; thence westerly along McCracken street and including a strip of land 100 feet wide on the north side thereof to the eastern extremity of the Erie canal lands; thence southerly along the city line to the northerly line of the Erie canal lands; thence southeasterly along the northerly and easterly line of the Erie canal lands to a point opposite the south line of Lorimer street; thence easterly along Lorimer street and including one tier of lots on the south side thereof to Frank street; thence southerly along Frank street and including one

tier of lots on the west side thereof to Jones avenue; thence easterly along Jones avenue and including so many of the lots on the south side thereof as front on Jones avenue to Lake avenue; thence northerly along Lake avenue and including one tier of lots on the east side thereof, from Ambrose street, to the place of beginning, excepting therefrom the banks of Deep Hollow creek.

And further, Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in five equal payments, as follows: One-fifth of the amount assessed, within thirty days after the advertisement of the Assessment Roll; one-fifth of the amount within a year from the confirmation of said Roll; one-fifth of the amount within two years from the confirmation of said Roll; one-fifth of the amount within three years from the confirmation of said Roll; and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, July 1st, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

ADOPTED. FINAL ORDINANCE NO. 2 074. PIPE SEWER IN RINGLESTEIN ALLEY.

On motion of ald. Edeln on the Board proceeded to near allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing—

Ald. Edelman submitted the following:
An ordinance to construct a nine-inch pipe sewer in Ringlestein alley, from a point 152 feet east of the east line of Shamrock street to the sewer in Shamrock street; also, the necessary surface sewers and lot laterals.

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

The construction of a pipe sewer nine inches in diameter in Ringlestein alley, from a point 152 feet east of the east line of Shamrock street to the sewer in Shamrock street; also the necessary surface sewers and lot laterals.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$160, which estimate is hereby approved; 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 Ringlestein alley, from Shamrock street to a point 152 feet east therefrom.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:
Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chace, Vandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14

Ald. Chace moved that the ordinance for opening a street from Lake avenue to Hastings street be postponed to the second regular meeting. Adopted.

Ald. Otis moved to suspend the rule to adjourn at 11 o'clock. Adopted.

The following penal ordinance, offered by Ald. Tracy, was adopted:

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

Section seven of chapter four of Penal Ordinances of the City of Rochester, entitled "An Ordinance Relating to Railroads," passed February 17, 1863, is hereby amended so as to read as follows:

§ 7. "No person, unless an employe or passenger on any car of such railroad company, while passing through the city limits, shall get on or off such car while in motion, under a penalty of five dollars for each offence." No person under fifteen years of age shall ride on the platform or the outside of any street railroad car in the city, under a penalty of five dollars for each offence.

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Vandeville, Vay, Wickens, Edelman, Knobles, Hart—14.
Nay—Ald. Weaver—1.

UNFINISHED BUSINESS.

The resolution of Ald. Westbury offered at a previous meeting, and the amendment of Ald.

FitzSimons thereto, relating to the lighting of public gas lamps, came up for consideration.

Ald. Weaver offered the following as a substitute:

Resolved, That the Mayor be, and he is hereby requested and authorized to make a proposition to the gas companies to pay them the sum of twenty-two dollars per lamp for supplying gas to the city for street lighting upon the system of every night and all night lighting, including the expense of lighting, extinguishing, cleaning and keeping in good repair said lamps. They are also to use a three and a half feet burner, and a pressure to be maintained so that each burner shall consume at least three and a half feet of gas per hour.

Also, for lighting the city and the Front street building at a price not to exceed one dollar and sixty-five cents per one thousand feet of gas consumed, the city reserving the right to discontinue the use of, remove or re-locate any lamp as may be determined from time to time by the Common Council; that if such proposal be accepted by the gas companies, then and in that case the Mayor is hereby fully authorized to enter into contract for and in behalf of said city with the gas companies for gas, etc., upon the terms and conditions aforesaid.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Nay—Ald. FitzSimons—1.

Ald. Weaver offered the following, which was adopted:

Resolved, That the Lamp Committee be and they are hereby requested to enter into negotiations with the National Gas Light Company and ascertain at what price per lamp they will light with naphtha gas, care for and keep in repair one thousand or more street lamps for one year—the illuminating power of said lamps to be the same as of those now in use in this city, reporting to this Council the result of their negotiations, with recommendations.

By Ald. Mandeville—Whereas, By common consent publicly, as well as privately expressed, there has long been and now is, a demand in the interests of justice and economy for a redistribution of street lamps and a weeding out of those deemed superfluous or maintained at public expense for individual benefit; and,

Whereas, A very competent Committee on Retrenchment, appointed by the Common Council in 1875 after a thorough investigation and consideration of the subject, expressed a firm conviction that \$10,000 per annum might be saved by the carrying out of the reform above indicated, and it being as feasible to-day as then, for the evil has not been abated or remedied, but has grown in magnitude; therefore,

Resolved, That a special committee of three members of this Board be appointed by the chair with full power to re-arrange the distribution of lamps throughout the city, and that they be authorized and directed to take immediate steps to prosecute the work to completion; that in so doing their object shall be to reduce the average distance on a street where lamps are set to not less than 150 feet measured on a parallel line with said street, and to be set as far as may be practicable, alternately on each side of such street, and diagonally on each four corners, not having more than two lamps on such

four corners, excepting on Fitzhugh and Main, State and Main, St. Paul and Main and Main and Clinton, and only one at the head of such street as terminates in another. All lamps of a private interest, now maintained at the city's expense, shall be discontinued and removed.

On the following streets, where lamps are not now placed at a less distance than 125 feet measured on a parallel line with such street, they may not be removed, viz.: State and Lake avenue, East and West Main from St. Mary's Hospital to University avenue, East avenue, Exchange to Erie depot, South Clinton and North to Ontario street, Fitzhugh street, St. Paul from the canal bridge to Ward street, and Front street. In case, however, any lamps in any of the streets above named or any portions of them, shall now be placed at an average distance of 150 feet, they shall not be removed, and this average distance measured on a parallel line with such street shall hereafter be the established rule, as nearly as may be practicable for all extensions in these as in other streets of the city. In regard to the distribution of lamps in the public parks, the Committee may use their discretion, but not so as to allow of more than five lamps in any one of said parks.

Ald. Westbury moved that it lie on the table til the the next regular meeting.

Lost by the following vote:

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Weaver, Knobles—8.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Hart—3.

Ald. Westbury moved as an amendment that the Mayor and City Surveyor be added to the Committee. Accepted by Ald. Mandeville.

The resolution was then adopted.

Ald. Knobles moved that the temporary President appoint the committee. Adopted.

The President appointed as such committee Ald. Fitz Simons, Otis and Weaver.

The matter of the deposits of moneys in the city banks came up.

Ald. Knobles moved to further postpone to the next meeting.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—11.

Nays—Ald. Fitz Simons, Otis, Crouch, Chace, Weaver—5.

EXECUTIVE BUSINESS.

Ald. Crouch moved to proceed to ballot for Police Commissioner.

A number of ballots were taken, there being an excess of votes each ballot, with this exception:

FIRST BALLOT.

Jacob Howe, Jr., received.....	10
M. Barron " " " " " " " " " " " " " " " "	6

Ald. Crouch moved that the Assistant Clerk be appointed to assist the Messenger in collecting the ballots.

Ruled out of order by the President.

Ald. Otis moved to postpone balloting until the next meeting.

Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Hebing, Chambers, Mandeville, Hart—6.

Nays—Ald. Tracy, Wesbury, Warren, Crouch, Chace, Vay, Wickens, Edelman, Weaver, Knobles—10.

Ald. Chambers moved to adjourn.

Lost by the following vote:

Ayes—Ald. Hebing, Chambers, Mandeville, Hart—4.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chace, Vay, Wickens, Edelman, Weaver, Knobles—12.

Ald. Otis moved to suspend balloting for twenty minutes.

Lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Chambers, Mandeville, Weaver—6.

Nays—Ald. Tracy, Warren, Hebing, Crouch, Chace, Vay, Wickens, Edelman, Knobles, Hart—10.

Ald. Warren moved that the Assistant Clerk take the ballots from the Aldermen and deposit them in the box carried by the Messenger.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chace, Vay, Wickens, Edelman, Weaver, Knobles—12.

Nays—Ald. Otis, Chambers, Mandeville, Hart—4.

Ald. Hebing moved to suspend balloting.

Lost by the following vote :

Ayes—Ald. FitzSimons, Otis, Hebing, Chambers, Mandeville, Hart—6.

Nays—Ald. Tracy, Westbury, Warren, Crouch, Chace, Vay, Wickens, Edelman, Weaver, Knobles—10.

Ald. Hart moved to suspend balloting.

Lost by the following vote :

Ayes—Ald. FitzSimons, Otis, Warren, Chambers, Mandeville, Hart—6.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chace, Vay, Wickens, Edelman, Weaver, Knobles—10.

Ald. FitzSimons moved to adjourn. Lost.

Ald. Hebing moved to postpone balloting. Adopted.

MISCELLANEOUS BUSINESS

By Ald. Tracy—Resolved, That the Clerk draw an order on the City Treasurer, in favor of Leary & Co., for forty-four dollars for refreshments furnished during meetings of Common Council and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—11.

Nays—Ald. FitzSimons, Otis, Hebing, Weaver—4.

Ald. Tracy moved that the messenger be directed to have a lunch prepared for each meeting of the Council, at an expense not to exceed \$17 for each time.

Ald. Weaver moved as an amendment that the lunch be discontinued or that no lunch be ordered.

Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Wickens, Weaver—6.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Ald. Tracy moved as an amendment that the amount be \$15.

Ald. Weaver moved to adjourn.

Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Wickens, Weaver, Hart—7.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Edelman, Knobles—8.

Ald. Weaver moved to make the amount ten dollars.

Lost by the following vote :

Ayes—Ald. FitzSimons, Otis, Warren, Wickens, Weaver—5.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

The resolution of Ald. Tracy making the amount fifteen dollars was adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Nays—Ald. Wickens—1.

The original resolution as amended was then adopted.

By Ald. Westbury—Resolved, That the City Clerk be and he is hereby directed to draw an order on the City Treasurer for \$403.65, payable to J. Herbert Shedd, and one for \$30, payable to Byron Holly, the same to be charged to the Board of Health Fund, being in full payment for work done by them in preparing a general plan of sewerage for the city of Rochester, the bills for same having been duly audited by the Board of Health.

Ald. FitzSimons moved that it lie on the table until the next regular meeting. Adopted.

By Ald. Otis—Whereas, By the closing of the Genesee Valley Canal, that portion of the bed of the same in the Fifteenth Ward of this city contains pools of stagnant water, which, it is alleged, is the cause of fever and ague, malarial fever, and kindred diseases now prevailing in that locality; and,

Whereas, That portion of the Genesee Valley Canal, from its junction with the Erie Canal to the Rapids lock, is now filled with water in which there is no current and which, if it has not already, will soon become stagnant and deleterious to the health of our citizens; therefore.

Resolved, That the State Superintendent of Public Works be requested to take such measures as may to him seem most likely to abate the danger that thus threatens the public health, and to that end we suggest that a current of water be kept constantly flowing during the summer season through the channel of the said canal from Allen's Creek at Scottsville into the Erie Canal at Rochester.

Resolved, That the Clerk of this Board be directed to forward a copy of these resolutions to Hon. Henry L. Fish, Assistant Superintendent of Public Works, with a request that he will present the same to Hon. B. S. W. Clark, the State Superintendent. Adopted.

Ald. Crouch presented a petition for the appointment of Frederick W. Friday as a special policeman, without pay from the city, and moved that the prayer of the petition be granted. Adopted.

By Ald. Westbury—Resolved, That the Police Commissioners of the city of Rochester are hereby authorized to appoint a special policeman to attend the present term of the Court of Oyer and Terminer, to be detailed thereto by the Chief of Police, in accordance with Chapter 415 of the laws of 1878, such policeman to receive pay therefor from Monroe County, and in no event to have or receive any pay from or claim any fees against the city of Rochester. Adopted.

By Ald. Vay—Resolved, That the Fire and Water Board be and is hereby instructed to

The motion of Ald. Hart was adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—12.

Nays—Ald. FitzSimons, Otis, Weaver—3.

By Ald. Westbury—Petition of Geo. Dowd, in regard to bill for painting lamps.

Ald. Hart moved to refer the matter to the Law Committee, to report at the next meeting.

Ald. Hebing moved as an amendment, that the petition be referred to the Lamp Committee.

Lost by the following vote :

Ayes—Ald. FitzSimons, Hebing, Wickens, Edelman, Knobles, Hart—6.

Nays—Ald. Tracy, Westbury, Otis, Warren, Crouch, Chambers, Chace, Vay, Weaver—9.

The motion of Ald. Hart to refer to the Law Committee was then adopted.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee, Ald. Crouch, from the Poor Committee, Ald. Chambers, from the Contingent Expense Committee, Ald. Edelman, from the Park Committee, Ald. Hart, from the Police Committee, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

Ald. Vay presented the petition of John Kolb for the erection of a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Warren—

To the Honorable the Common Council.

GENTLEMEN—Your Assessment Committee, to whom was referred sundry claims in assessment matters, after investigation offer the following resolution and recommend its adoption.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Resolved—That the Treasurer is directed to receive from E. S. Ettenheimer and C. W. Owen, the amount of the taxes assessed against them respectively, with interest at 7 per cent. from date of sale. Adopted.

Ald. Hart in the chair.

Ald. Hebing, from the Law Committee, reported progress on the matter of the State Line Railroad bonds, and asked for further time. Granted.

Ald. Chace presented the following :

NEW YORK, July 1st.

Messrs. Chace, Fleckenstein and Wheeler, Committee, etc.:

Matters of the Rochester and State Line Road with Messrs. Taylor and Waterman have been satisfactorily adjusted, and the portions of the contract uncompleted provided for. The city will be able to receive the stock, in accordance with Taylor's contract, within a few days.

D. McNAUGHTON.

NEW YORK, July 1st.

Messrs. Chace, Fleckenstein and Wheeler, of Common Council Committee:

Matters with Messrs. Taylor and Waterman have been adjusted, by which all the items to be done by them, and all balances between them and the State Line Company have been settled. The stock going to the city of Rochester will be delivered in a few days, and the

State Line road will be actively operated by the Central people, in connection with their own line.

E. D. WORCESTER.

Ordered received, filed and published.

By Ald. Fitz Simons—

To the Common Council:

GENTLEMEN: The Finance Committee, to whom was referred the bill of J. H. Shedd, for \$450, in compensation for four or five days' services as sanitary engineer, would respectfully report that after examining the law and the opinion presented by the City Attorney, through the Law Committee, we are of the unanimous opinion that the Board of Health has in this instance transcended its authority and the city of Rochester is neither morally nor legally bound to pay said bill.

M. H. FITZ SIMONS,

E. K. WARREN,

LYMAN M. OTIS,

Committee.

The City Attorney was heard.

Ald. Chace moved that the bill of Mr. Shedd as presented be paid, and charge Contingent Fund. Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman—7.

Nays—Ald. Fitz Simons, Otis, Warren, Vay, Wickens, Weaver, Knobles, Hart—8.

FINANCE BUDGET.

ROCHESTER, N. Y., July 1, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

MONTHLY PAY ROLL FOR JUNE, 1879.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	130 00
Edward Angevine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth, ..	150 00
Wm. Mahar, ..	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Duell, ..	150 00
M. H. McMath, Clerk ..	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building..	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. B. Parsons, Draughtsman ..	60 00
W. J. Stewart, Chairman ..	40 00
Ambrose Redman, Rodman ..	30 00
Peter Sheridan, Assistant in Clerk's Office...	33 84
E. W. Williams, .. Treasurer's Office	116 66
James H. Wilson, services in ..	62 56
Warham Whitney, ..	54 17

MISCELLANEOUS.

Union and Advertiser, printing for City Attorney.....	\$12 00
Union and Advertiser, printing tax receipts..	112 00
Scrantom & Wetmore, stationery for Mayor..	35 00
Rochester Telephone Exchange, telephone for one year.....	40 00
And charge that Fund.	

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO JUNE 1, 1879.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey, ..	41 67
Dr. Julius J. Schmitt, ..	41 67
Dr. Rockwell ..	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. June.....	41 67
Porter W. Taylor ..	41 67
Edward E. Bausch, ..	41 67
Paris G. Clark, clerk Ex. Com. sal. mo. June.	33 34

MISCELLANEOUS.

M. Bulkeley & Co., groceries.....	31 50
Goetzman & Son, soap.....	31 95

F. Deininger, bread.....	137 60
Reinhardt & Kohler, meat.....	25 00
Smith, Perkins & Co., groceries.....	11 45
	64 25
L. M. Gould, groceries.....	5 00
Union and Advertiser, printing book leaf.....	10 00
Geo. Bastian, bread.....	37 70
A. Bauerschmidt, meat.....	100 30
H. Kondolf, bread.....	102 80
Gerling Bros., flour and meal.....	127 00
And charge that fund,	

Hugh Johnston.....	69 75
John H. Dana.....	69 75
Ed. Van Vorst.....	69 75
Hugh Clark.....	69 75
John C. M'Quatters.....	69 75
Wm. H. White.....	69 75
Thos. F. Hurley.....	69 75
Patrick H. Sullivan.....	102 30
Chas. M'Cornick.....	79 05
Jos. S. Roworth.....	79 05
Wm. F. Lush.....	69 75
Barth. Crowley.....	69 75
Robt. Burns, 38 days.....	65 24
Ralph Benson.....	69 75
Jacob Harter.....	69 75
Thos. Crouch.....	69 75
Andrew Connolly.....	69 75
Wm. P. O'Neil, 28 days.....	65 24
Benj. C. Further.....	69 75
John H. Keith.....	69 75
John H. Wordell, 27 days.....	62 91
B. Horcheler.....	69 75
John Mitchell.....	69 75
Robt. M'Kee.....	69 75
Chas. E. Fowier.....	69 75
Michael Brady.....	69 75
Wm. M. Kelly, 28 days.....	69 75
Joseph Legler.....	69 75
Wm. H. DeWitt.....	69 75
Nicholas J. Loos.....	69 75
Fred. Griebel.....	69 75
Robert Sloan.....	69 75
Peter Bohrer.....	69 75
Samuel Schwartz.....	69 75
Jas. A. Jonsson.....	69 75
Thos. Dukelow.....	69 75
Patk. Hoctor.....	69 75
George Smita.....	69 75
Lewis Jesserer.....	69 75
Frank Value, 28 days.....	65 24
Michael Galt.....	69 75
Wm. H. Burgess.....	69 75
Michael Hynes.....	69 75
Chas. Hart.....	69 75
Frank D. Fay.....	69 75
Geo. Hoffman.....	69 75
James P. Flynn.....	69 75
John Monaghan.....	69 75
John P. Davis.....	69 75
Henry D. Shove.....	69 75
Michael Wolf, Jr.....	69 75
John M. Reis.....	69 75
Charles W. Peart.....	69 75
Wm. Laray.....	69 75
Louis No'dt.....	69 75
Jerry Twaig.....	69 75
Ed. McDonough.....	69 75
Older Olver.....	69 75
John Dean.....	69 75
Jos. St. Hellens.....	69 75
Ed. Rice, 1 day.....	2 33
Peter Hess.....	69 75
Daniel Goulding, Jr.....	69 75
Patrick Holloran, 29 days.....	67 57
Henry Graven.....	69 75
Mich. Hyland.....	69 75
Jacob Markey.....	60 00
B. Frank Enos, Clerk of Commissioners.....	116 63
B Frank Enos, expenses to July 1, 1879.....	14 60
Payable to B. Frank Enos, Clerk.....	
Examined and approved.	

C. R. PARSONS,
FRED'K ZIMMER
H. C. DANIELS,
Commissioners.

HEALTH DEPARTMENT FUND.
MONTHLY PAY ROLL TO JULY 1ST, 1879.

Sam'l Donnelly, Supt. Board Health, salary.....	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
Henry M. Heindol, Keeper of Hope Hospital.....	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
James Cooper, Insp'r.....	50 00
Heman Miller, Insp'r.....	50 00
Orrin Harris, Insp'r.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to July 1, 1879.....	125 00
F. S.....	
Bradley & Co., garbage contractor to July 1, 1879, W. S.....	150 00
H. H. Langworthy, services.....	10 00
John O'Rourke, bd of horse April and May.....	36 00
Frank J. Irwin, Messenger, 3 months.....	25 00
And charge that fund.	

CITY PROPERTY FUND.

John L. Minges, wood for City Hall.....	\$ 4 50
J. F. Carter, carpet for Executive Board room.....	60 37
J. H. Howe, plumbing.....	53 81
Geo. Engert & Co., coal.....	16 50
A. H. Cork, brooms, mops, &c.....	6 26
L. C. Langie, coal for City Hall.....	25 50
Wm. Connors, hardware, &c.....	18 41
Wray & Elwood, keys and repairs.....	13 50
And charge that fund.	

LAMP DEPARTMENT FUND.

Benj. F. Thomas, lamp pots.....	\$ 24 00
P Burke & Co, lamp posts.....	24 00
Goodale & Pells, burners.....	23 68
Chas. A. Jeffords, lighting and care of lamps for June.....	721 25
J. H. Howe, cocks and burners.....	64 50
Rochester Gas Co., gas and care of lamps for month of June.....	1,317 47
Union and Advertiser; printing tables.....	10 00
National Gas Light Co., lighting for month of June.....	566 67
And charge that fund.	

POLICE DEPARTMENT FUND.

Geo. Truesdale, Police Justice, sal. for month of June, 1879.....	\$166 66
S. A. Pierce, meat, coal services.....	30 00
Rochester Printing Co., printing.....	19 25
Evening Express Co., printing.....	30 00
Wm. S. Falls, printing.....	5 00
J. R. Chamberlain, hose and repairs.....	12 50
Alex. McLean, expenses for May, 1879.....	70 24
Fred. Zimmer, Police Com'r, quarter salary to July 1st.....	125 00
Henry C. Daniels, Com'r, quar. salary to July 1st.....	125 00
And charge that fund.	

PARK FUND.

F. Knapp, work on parks for mo. of June.....	\$ 30 00
Jas. Edelman.....	30 00
Pat. Newcombe.....	30 00
Jos. Horton.....	30 00
Dan. Goulding.....	30 00
Mr. Jordan.....	30 00
And charge that fund.	

And charge that Fund.
Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Heoing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.
By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, July 1st, 1879.	
To the Hon. The Common Council:	
GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 1st day of July, 1879, as required by section 59 of the City Charter:	
	Credit Balances.
Contingent Fund.....	\$53,019 74
Police Fund.....	46,376 79
Lamp Fund.....	47,360 33
Poor Fund.....	39,490 12
Park Fund.....	1,759 66
Board of Health Fund.....	7,632 45
Home for Truants Fund.....	9 10
City Property Fund.....	5,382 18
Search Department Fund.....	584 90

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 1st day of July, 1879.

WARHAM WHITNEY,
Commissioner of Deeds.

Ordered received, filed and published

By the Clerk :

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF JUNE..

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, respectfully report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the accompanying schedule, commencing June 2d, to and including June 30th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

George F. Frank, North street.....	\$40
John Nagel, 113 St. Joseph street.....	20
Dominick Oescher, 62 North avenue.....	40
Caroline Werth, 69 Reynolds.....	50
Charles W. Lowith, 77 Adams.....	20
Isaac Spears, 137 Lake ave.....	20
Michael Volgert, South and Pinnacle ave.....	20
Joseph Couders, Frost ave.....	20
John Coughler, 81 Caledonia ave.....	20
Schnarr & Schoeffel, 84 West Main.....	20
Franziska Heilmann, 109 Hudson.....	20
William Burgess, 27 West Main.....	20
Fletcher M. Thrasher, 93 North ave.....	20
Anton Vogt, 35 Scio.....	20
John C. Young, 64 Troup.....	20
John Conway, 514 State.....	20
George Hunter, 23 Lake ave.....	30
Ferdinand K. Schaefer, 22 Joiner.....	40
Joseph M. Schmitt, 108 North ave.....	30
Tien Louis, 192 North Clinton.....	30
Thomas McAnarney, 142 Brown.....	30
Nicholas Kase, Orange and Whitney.....	20
Petrick Eagan, 35 Prospect.....	20
John T. Merz, 83 Gregory.....	30
Goodhard Schwab, 144 South St. Paul.....	30
Henry Cooney, Goodman and N. Y. C. RR.....	40
William Crispin, 70 Exchange.....	40
Julia Tatty, 92 Front.....	40
John J. Karle, 53 South St. Paul.....	40
Aaron Bennett, Glen House.....	40
Fanny Golding, 66 Front.....	40
Anthony E. Andrews, 49 do.....	40
Samuel S. Brewer, 3 do.....	40
John A. Bower, 21 Tonawanda.....	40
Anthony Walters, 231 North.....	40
Charles Goedtel, 109 Lyell.....	20
A. G. Ringelstein, 29 Front.....	20
Nicholas Baylen, 53 Lyell.....	20
Topelia Brooks, 62 Broadway.....	20
Eva M. Schroot, 106 St. Joseph.....	20
John Klein, 83 South Francis.....	20
John O'Connor, 116 East ave.....	20
J. Murdinck, 8 Lowell.....	20
Joseph Greenauer, 139 Jay.....	20
Mary Kesterer, 116 North ave.....	20
Catharine Hayden, 12 Platt.....	20
Della Hall, 43 South St. Paul.....	20
John Burgard, 20 West ave.....	20
Charles Kohl, 9 Lowell.....	20
Samuel Stierley, North ave and Stevens.....	50
Henry Morstond, 11 Bay.....	20
Herman Heyet, 83 Wilder.....	20
John J. Schaffer, 113 North Clinton.....	20
John Straub, 126 Lake ave.....	40
Henry Knackstedt, 61 Jay.....	40
Dorothea Schieber, 91 Front.....	40
Margaretha Keller, 10 North Water.....	40
Charles F. Sachs, 160 North ave.....	20
Ann Wegman, 160 North ave.....	20
Fayette Taylor, 21 St. Paul.....	20
John F. Garland, 132 Front.....	20
Theo. J. Kennenig, 59 North ave.....	20
James C. Hetzel, 92 E. Main.....	40
August Chtozki, 49 N. Clinton.....	20
James Lynch, 180 N. St. Paul.....	20
Mary S. Miller, 119 Jay.....	30
Mathew Daus, 62 Lyell.....	20
Peter F. Rauber & bro., 132 W. Main.....	30
Catharine Sauteritz, 27 Front.....	40
Michael Eisele, 145 Mill.....	40
Bernard Schwab, 63 Whitney.....	20
Thomas O'Shaughnessy, 63 Front.....	20
Bartholomew Cain, 34 State.....	30
John R. Heyd, 100 East ave.....	20
Fred'k Suss, 243 N. Clinton.....	20
Daniel Zimbrich, Mill and Market.....	40
John J. Fisher, 116 N. Water.....	40
Wendell Beyer, Front and Market.....	40
Barbara R. Eisenmenger, 85 Chatham.....	40
Catharine Wixsted, 145 W. Main.....	40
John Maul, 77 Front.....	40

Philip McConnell, 110 Plymouth ave.....	40
Louis Bohrer, 102 North ave.....	40
George C. Cook, 56 Allen.....	40
Jacob Held, 17 Mt. Hope ave.....	40
Charity Weigand, 69 Monroe ave.....	20
George G. Fritz, 293 N. Clinton.....	20
George Gorbutt, 216 State.....	20
Gustav Kostbahn, 69 Mt. Hope ave.....	20
Joseph Knope, 107 Oak.....	20
George Hoehn, 152 North ave.....	20
George Yawman, Jay and Orchard.....	20
George Klein, 165 E. Main.....	20
Alfred R. Brown, 146 Plymouth ave.....	20
Patrick Mathews, 69 Lyell.....	30
Ritzenthaler Eros, West Maple and Ames.....	30
Sidney A. Newman, 113 E. Main.....	30
Peter Spang.....	30
Christina Popp, 117 Jay.....	50
Rosalid Laforce, N. Clinton.....	20
Barbol Eisman, E. Maple and Mead.....	40
Carl Vohs, 60 Lowell.....	20
Zebulon Lavigne, Saratoga ave. and Newton.....	30
Charles Mirquet, 51 Front.....	40
John Kodish, 276 N. Clinton.....	20
Fred'k W. Meyer, 77 North ave.....	20
Jacob Fuchs, 137 N. Clinton.....	20
Ambrose Walz, Hudson and Clifford.....	30
James S. Egan, 15 N. Water.....	30
Catharine Gamrott, 36 1/2 Gregory.....	30
John Fahrner, 14 Hawkins.....	30
John Hasler, North avenue and Casper.....	20
Martha A. Hyde, 23 W. Main.....	30
Thomas P. Kelley, 162 Exchange st.....	20
Frederick Goetzmann, 9 Atwater.....	20
Wm. Murray, 234 State.....	20
Peter Kraus, Orange and Amer.....	20
Kenning & Hyennens, 122 East ave.....	20
John A. Clark, 383 State.....	30
James Fosmire, 67 West ave.....	40
Hugo Schomburg, 21 South ave.....	20
John Lawton, 230 State.....	20
Martin Maloy, 36 Kent.....	20
Byron Knowlton, 26 E. Main.....	20
Christian Muhl, 52 and 54 Lyell.....	50
Joseph Attridge, 53 Child.....	40
Marcellus Kreig, 199 N. Clinton.....	40
Martin Hebersger, 214 N. Clinton.....	40
Sully W. Werden, 294 E. Main.....	40
Philip H. Spindler, 55 Hinson.....	20
Joseph Christ, 43 1/2 N. Clinton.....	20
John Pasch & Gohr, 53 1/2 Kelly.....	40
John C. Brayer, 70 Wilder.....	20
Sardius P. Kelsey, 18 Stone.....	40
Henry Kondorf, Jay and Child.....	20
Michael Spang, 97 Smith.....	50
John Bickel, 207 N. Clinton.....	20
Mary Johnson, 154 State.....	40
Adam & Charles Bernard, 80 Lyell.....	20
Adam Schneider, 103 South ave.....	40
Rose A. Daly, 245 State.....	50
Gustav May, Reynolds st.....	50
George Weber, 59 Chatham.....	20
Wm. Pauckner, Mt. Hope ave.....	20
Joseph A. Otter, 136 N. St. Paul.....	30
Adam May, Maple and Child.....	50
David Abeles, 100 South ave.....	30
Frank H. Lincoln, Mt. Hope ave.....	20
Mary Gannon, 4 Ward.....	30
Margaret F. Wallace, 6 Lake ave.....	40

Total..... \$4,580

We have deposited said moneys as follows :
Deposited with City Treasurer..... \$4,580
Licenses have been granted to all of the above named applicants.

Dated July 1st, 1879.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,
Excise Com'rs.

STATE OF NEW YORK, } ss.
County of Monroe, }

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of the city of Rochester, in said County, being duly sworn, say and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of persons and dates therein given, are correctly set forth in said report, and that the said report embraces the whole of the moneys received from June 2 to June 30, 1879, inclusive.

Sworn to before me this 1st day of July, 1879.

J. D. HUSBANDS, Notary Public.

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER, }
ROCHESTER, N. Y., July 1st, 1879. }

To the Common Council:

I have the honor to transmit herewith :
Statement of expenditures by the Executive Board
during the month of June, 1879.

Certified copies of Finance Budgets, embracing all
bills and pay rolls passed by the Executive Board from
May 9 to June 30 inclusive.

Copies of payrolls in detail as passed and paid by the
Executive Board during the same period.
Statement of the condition of the several funds in
charge of the Executive Board on the 30th day of June,
1879, all of which please receive as official.

Respectfully your obedient servant,

FRANCIS P. KAVANAGH,
Clerk of Executive Board.

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD
DURING THE MONTH OF JUNE, 1879.

Charged to Highway Fund.....	\$3,724 00
Salary and Expense Fund.....	508 99
Sidewalk Repair Fund.....	65 63
East Avenue, Sprinkling Fund.....	190 00
Mcigs Street.....	40 46
Allen Street Bridge Approaches do.....	655 11
Allen Street Improvement Fund.....	908 67
Allen Street Iron Lift Bridge do.....	1,000 00
White Street Improvement Fund.....	1,610 63
Wadsworth st. Walk Fund.....	155 14
Helena st.....	68 25
Draper Pipe Sewer.....	283 48
Evergreen Place Walk.....	72 88
University ave.....	187 52
Total.....	\$ 9,439 75

(Official.) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
ROCHESTER, N. Y., July 1, 1879. }

STATEMENT showing the condition of the several
funds in charge of the Executive Board June 30, 1879.

Debit Balances:

City Treasurer.....	\$43,892 68
Sidewalk Repair Fund.....	2,639 05
Sundry Street Sprinkling Funds.....	425 00
Favor Street Sewer Fund.....	249 75
Helena Street Sewer Fund.....	130 15
Tracy Park Opening Fund.....	96 50
Allen Street Bridge Approaches Fund.....	636 14
Allen Street Improvement Fund.....	2,208 67
Wadsworth Street Walk Fund.....	155 14
Helena Street Walk Fund.....	68 25
University Avenue Walk Fund.....	187 52
Cr. Balances :	50,738 85
Highway Fund.....	49,732 34
Macadam Stone Fund.....	1,933 81
Salary and Expense Fund.....	5,672 70
Total.....	\$50,738 85

(Official.) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

Ordered received, filed and published.

By the Clerk—

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
ROCHESTER, N. Y., July 1, 1879. }

To the Common Council:

I transmit herewith as required by law :

Statement showing expenditures in the month of
June and the condition of the several funds in charge
of this Board on the 30th day of June, 1879.

Respectfully, your ob't. servant,
V. FLECKENSTEIN, Clerk.

OFFICE OF WATER WORKS AND FIRE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, N. Y., June 30, 1879.

STATEMENT of expenditures by the Water Works and
Fire Board in June, 1879, and the condition of the
funds in charge of the Board at this date.

Charged to Water Works Fund.....	\$2,763 13
Water Works Land ac't.....	11,975 42
Water Pipe Fund.....	2,985 02
Fire Department Fund.....	4,293 88
Total.....	\$22,017 40
City Treasurer, Dr. Balance.....	\$112,052 71
Water Works General Fund, Cr. Bal.....	\$40,635 12
Water Works Special Fund.....	1,515 47
Water Works Land Fund.....	118 01
Water Pipe Fund.....	32,014 98
Fire Department Fund.....	37,769 13
Total.....	\$112,052 71

(Official.) V. FLECKENSTEIN,
Clerk of Water Works and Fire Board.

Ordered received, filed and published.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y. July 1, 1879. }

To the Honorable the Common Council:

GENTLEMEN: I hereby certify that the Executive
Board have notified me that the work authorized under
ordinance No. 2,067 for Evergreen place walk has
been completed.

The amount to be assessed upon the property bene-
fited, including any interest that the city shall incur,
or is entitled to, for the use of its funds, is \$72.38

Yours respectfully,

GEO. D. WILLIAMS Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,067.

Whereas, the Common Council did upon the 24th day
of May, 1879, enact an ordinance for Evergreen place
plank walk.

And Whereas, The City Treasurer has reported the
actual expenses of said improvement to be the sum of
\$72.38, including such interest as the city has paid
or become liable for.

And the portion of said city which said Common
Council deemed would be benefited by said improve-
ment is described as follows:

All the lots and parcels of land on each side of Ever-
green place, from the north line of Evergreen street
to a point 139 feet north thereof.

Therefore Resolved, That the sum of 72.38, being
the whole amount of the expenses aforesaid, shall be
assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher,
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 lots and parcels of land and
houses within the portion or part of said city so desig-
nated, 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 improve-
ment; and said Assessors are hereby notified to meet for
this purpose on Saturday, July 5th, 1879, at nine
o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitzsimons, Westbury, Otis,
Warren, Debing, Crouch, Chambers, Chase, Vay,
Wickens, Deban, Weaver, Knobles, Hart—15.

PLANK WALK ON AMES STREET.

By Ald. Wickens—Resolved, That the City Surveyor
ascertain and report to this Council the expense of
constructing a plank walk four feet wide on each side
of Ames street, from West avenue to Jay street. Also
the necessary crosswalks.

Adopted.

The Surveyor submitted as such estimate \$2,023.

By Ald. Wickens—Resolved, That the following im-
provement is expedient, viz:

The construction of a plank walk four feet wide on
each side of Ames street from West avenue to Jay
street. Also the necessary crosswalks.

And Whereas, The City Surveyor, under the direc-
tion of this Council, has made an estimate of the whole
expense thereof, and reported the same at \$2,023, which
estimate is hereby approved.

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

One tier of lots on each side of Ames street from
West avenue to Jay street.

And further Resolved, That the taxpayers to be as-
sessed for making such improvement, may pay their assess-
ments in three equal payments, as follows: One-third
of the amount assessed within thirty days after the
advertisement of the assessment roll; one-third of the
amount within one year from the confirmation of such
roll; and the remaining one-third within two years
from the confirmation of such roll. On all sums paid
prior to the maturity of the said last instalment, a dis-
count will be allowed of seven per cent. per annum.

And the Clerk is hereby directed to publish notice in
pursuance of title vii, section 165 of the revised Charter
of 1874 of the City of Rochester, that all persons inter-
ested in the subject matter of said improvement are
required to attend the Common Council on Wednesday
evening, July the 15th, 1879, half past 7 o'clock, at
the Common Council Chamber, when allegations will be
heard.

Adopted.

EXTENSION AND IMPROVEMENT OF GOODMAN STREET.

By Ald. Knobles—Resolved, That the City Surveyor
or ascertain and report to this Council the expense of
opening and extending Goodman street from the pres-
ent bridge over the Erie canal, to Pinnacle avenue, and
the territory deemed necessary to be taken therefor is
described as follows, viz: A strip of land 60 feet wide,
being 30 feet on each side of a line drawn from the cen-
tre of the south end of the said canal bridge, to the in-
tersection of the east line of Pinnacle avenue with the
old city line. Adopted.

The Surveyor submitted as such estimate \$2,500.

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

The opening and extension of Goodman street from the present bridge over the Erie canal to Pinnacle avenue, and the territory deemed necessary to be taken therefor is described as follows, viz.: A strip of land 60 feet wide, being 30 feet on each side of a line drawn from the centre of the south end of the said canal bridge, to the intersection of the east line of Pinnacle avenue with the old city line.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$2,500, which estimate is hereby approved:

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

One tier of lots on each side of Henrietta avenue—Almeroth street, Neeser street, and Brighton street, for their entire lengths—Also one tier of lots on each side of Pinnacle avenue, from Goodman street to the present city line, and one tier of lots on the west side of Goodman street, from Pinnacle avenue to lands now owned by Messrs. Ellwanger and Sauer, Also one tier of lots on Goodman street, from the Erie canal to Monroe avenue. Also one tier of lots on each side of the proposed street from the Erie canal to Pinnacle avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, June 15, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,075.

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

After hearing such allegation from all persons appearing.

Ald. Edelman submitted the following:

An Ordinance to construct a 9 inch pipe sewer in Putnam street, from a point 122 feet north of Helena street to the sewer in Foehner street.

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

The construction of a 9 inch pipe sewer in Putnam street from a point 122 feet north of Helena street, to the sewer in Foehner street.

And the whole expense, shall be defrayed by an assessment upon the lots and parcels of lands to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$305 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 Putnam street from a point 122 feet north of Helena street, to Foehner street.

On which above described portion of the City the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,076.

PLANK WALK ON ALLEN STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on the south side of Allen street, from the curb line of Canal street to the east curb line of Litchfield street.

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

The construction of a plank walk on the south side of Allen street, from the west curb line of Canal street to the east curb line of Litchfield street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$120, which estimate was and is hereby approved; 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 Canal street to Litchfield street.

On which above described portion of the city the expenses of said improvement are hereby assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for Lake avenue outlet sewer extension was, on motion of Ald. Chace, laid on the table for two weeks, and the Clerk directed to advertise for allegations.

UNFINISHED BUSINESS.

The matter of depositing the city's money in the banks came up.

Ald. Weaver moved that all action be postponed until the next meeting. Adopted.

Ald. Otis moved that the Board proceed to ballot for Police Commissioner and that two tellers be appointed from among the Aldermen to take the ballots and deposit them in the ballot box. Adopted.

The President appointed Ald. FitzSimons and Chambers.

FIRST BALLOT.

Jacob Howe, Jr., received..... 11 votes
Martin Barron 4 votes

SECOND BALLOT.

Jacob Howe, Jr., received..... 12 votes
Martin Barron 3 votes

Jacob Howe, Jr., having received the requisite number of votes, was declared duly elected Police Commissioner for the term of three years from the first day of April, 1879.

Ald. Crouch moved that the Board proceed to ballot for Commissioner of Deeds and that the Clerk cast the ballot. Adopted.

The following named persons, having received the requisite number of votes, were declared duly elected: William Johnson, Martin Frison, George Weaver, Chester B. Thomas, Richard Hudson, Edward A. _____.

Ald. Crouch brought up the communication from the Assessors, presented February 4th, 1879, in regard to the exemption of the tax of Rev. Loren Packard, and moved that it be referred to the Assessment Committee. Adopted.

Ald. Vay moved that the Rochester Gas Company be requested to lay gas mains in Wilder street. Adopted.

By Ald. Chace—Resolved, That Jerome Cline be granted a license to sell fresh meat until July 1st, 1880, at 134 Lyell avenue, on his paying into the City Treasury the sum of twenty-five dollars. Adopted.

By Ald. Chace—Resolved, That the Water Works and Fire Board be, and they are hereby directed, to lay water pipe in Thompson street, from Costar street, 500 feet north, at an estimated expense of \$400, and charge Water Pipe Extension Fund. Adopted.

By Ald. Warren—Resolved, That the City Treasurer be, and he is hereby directed, to credit G. W. Thomas fifteen dollars on his assessment for Tremont street sewer, that being the amount charged for a lateral sewer which was constructed in front of his premises and paid for on his account, and charge the same to erroneous assessments. Adopted.

Ald. Otis moved that the Committee on Ordinances examine the penal ordinances and report those that are illegal and void. Adopted.

By Ald. Westbury—

ROCHESTER, June 30, 1879.

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

GENTLEMEN—The Rochester Maennerchor, which is to celebrate their 25th anniversary July 14th and 15th, take great pleasure in inviting your honorable body to participate in

the festivities. On the evening of July 14th a grand vocal and instrumental concert will be given at City Hall. Tuesday the 15th a grand festival procession will be formed. Carriages will be in waiting at 1½ o'clock P. M. to carry you to headquarters.

Badges will be supplied to entitle your honorable body with your ladies to all the festivities.

Hoping that you will honor us with your presence we are sincerely Yours,

A. VOGT, Secretary.
HENRY HEBING, President of Festival.

Ald. Westbury moved that the invitation be accepted. Adopted.

By Ald. Westbury—Resolved, That the Rochester Opera House be granted a license for one year, to wit: from July 1, 1879, to July 1, 1880, by paying into the City Treasury the sum of \$25, the same as last year. Adopted.

By Ald. Westbury—Resolved, That the special committee appointed by this Board to rearrange the distribution of lamps throughout the city, before removing any of the lamps in any street, they report to this Board the proposed change and location of each lamp on such street, and that the Clerk publish said report, together with a notice to all persons interested in the subject matter of the rearrangement and location of such lamps, to attend the next regular meeting of the Common Council when allegations will be heard. Adopted.

By Ald. Otis—Whereas, The Executive Board's annual report for the years 1876-7, made prominent and pointed mention of the fact that in applications for the extension of water mains, the taxpayers on each street desiring to have mains laid were required to sign a petition in the nature of a carefully drawn contract, by which they agreed to introduce the water into their premises and pay for the same at the usual rates; and,

Whereas, In each of the respects above mentioned, it is also plainly stated that large numbers of the petitioners have failed to fulfill their part of the contract; therefore,

Resolved, That the Fire and Water Board be requested to furnish a list of all such delinquents at the next meeting of the Common Council with a view to taking into consideration the propriety and expediency of directing the City Attorney to commence immediate action against such delinquents.

Ald. Westbury moved that the matter lie on the table until the next meeting.

Adopted by the following vote:

Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—10.

Nays—Ald. FitzSimons, Otis, Warren, Weaver—4.

By Ald. FitzSimons—Resolved, That Ehrhart & Co. have permission to sell fresh meat at No. 42 Allen street until July 1st, 1880, on their paying into the City Treasury the sum of twenty-five dollars. Adopted.

By Ald. Fitz Simons—Resolved, That the Treasurer be and is hereby authorized to borrow upon the city's notes if necessary for the renewal of outstanding obligations a sum not exceeding \$50,000, at any time before the 1st of August, 1879, and charge the discount to Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

The President announced as the committee on the petition of Bentley, Meyer & Southwick, Ald. Fitz Simons, Vay, Hart.

By Ald. Fitz Simons—Resolved, That the action of the Police Commissioners in fixing the salary of the Police Clerk at \$1,400, thus ignoring the judgment of this Board on that subject, as expressed in its official action, merits our strongest censure.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Ald. Westbury moved that the Board adjourn. Adopted.

EDWARD ANGEVINE,
City Clerk.

In Common Council, July 29, 1879.

REGULAR MEETING.

Ald. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Mandeville moved that the resolution offered at the last meeting, by Ald. Westbury, in regard to the re-arrangement of lamps, be stricken from the minutes.

Ald. Westbury moved that the motion be indefinitely postponed.

Lost by the following vote:

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Knobles—7.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Hart—9.

The motion of Ald. Mandeville was lost by the following vote:

Ayes—Ald. Fitz Simons, Otis, Warren, Mandeville, Vay, Wickens, Weaver, Knobles—8.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Hart—8.

The minutes of the last meeting were approved by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. Fitz Simons, Mandeville, Vay, Wickens—4.

Presentation of petitions, accounts, &c.

By Ald. Tracy—Bills of

Goodale & Stiles, burners.....	\$ 17 76
M. & E. Huntington, paint, &c.....	14 80
Citizens' Gas Co., gas and care of lamps for mo. of July.....	2,340 57
Rochester Gas Co., gas and care of lamps for mo. of July.....	1,923 17
Rochester Gas Co., setting lamp posts.....	26 75
Chas. A. Jeffords, care of lamps for July.....	717 73

Referred to the Lamp Committee.

Ald. Tracy moved to reconsider the resolution adopted at the last meeting in regard to the bill of J. H. Shedd, and that Dr. Moore be heard in the matter.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing,

Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman—10.

Nays—Ald. Fitz Simons, Otis, Warren, Weaver, Knobles, Hart—6.

Ald. Tracy moved that the bill be ordered paid.

Lost by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Edelman—8.

Nays—Ald. Fitz Simons, Otis, Warren, Vay, Wickens, Weaver, Knobles, Hart—8.

By Ald. Westbury—Petitions of C. M. Everest, H. Fridmore and Wm. Roades for permission to erect wood buildings. Referred to the Wood Building Committee and Fire Marshal, with power to act.

By Ald. Westbury—Petition for the improvement of South Fitzhugh street. Referred to the Improvement Committee.

By Ald. Westbury—Petition for water mains in South Washington street, and moved that the prayer of the petition be granted. Adopted.

By Ald. Westbury—Petition of hackmen to to abolish hack licenses. Referred to the Committee on Rules and Ordinances.

By Ald. Otis—Bill of John Mason—Postage stamps..... \$10 00

Referred to the Health Committee.
By Ald. Warren—Petition for water pipe in Cole street, and moved that the prayer of the petitioners be granted when there are funds applicable for the purpose. Adopted.

By Ald. Warren—Petition of Peter Spang for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Hebing—Bills of
S. A. Lattimore, analysis of water.....\$100 00
A. G. Wheeler, disbursements.....\$88 20

Referred to Contingent Expense Committee.
By Ald. Hebing—Remonstrance of Frederick Seibfoitz against the erection of a wood building. Referred to the Wood Building Committee.

By Ald. Crouch—Petition for water pipe on Maple Place, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Crouch—Bills of

Ehrhart & Co., meat	\$ 75 00
A. Vogel, meat.....	50 00
St. Patrick's Orphan Asylum, board inmates..	741 94
St. Mary's Orphan Asylum, board inmates....	985 60
Smith, Perkins & Co., groceries.....	53 75
Geo. D. Waters & Co., groceries.....	9 00
A. H. Martin, groceries.....	16 25
A. S. Morris, meat.....	75 00
B. O'Reilly, burials.....	85 00
D. E. Fechtner, bread.....	60 95
Patrick Eagan, groceries.....	13 00
A. H. Cork, groceries.....	34 75
Fleckenstein Bros., bread.....	240 39
Alling & Cory, wrapping paper.....	16 86
M. Heavey, transportation.....	20 00
L. A. Wheeler, meat.....	100 00
Foehner & Maier, burials.....	103 00
P. Fahy, meat.....	100 00
A. Hehner, bread.....	23 25
Louis E. Beck, shoes.....	17 75
Fred. Wurtz, meat.....	50 00
Geo. Bastian, bread.....	32 65
J. Howe & Son, bread and crackers....	115 30
Wm. Moran, repairing stoves.....	15 95
Smith, Perkins & Co., groceries.....	58 13
W. Lagunacht, meat.....	100 00
Burke, Fitzsimons, Home & Co., dry goods.....	29 00
Frank Bees, meat.....	25 00
M. Yawman, bread.....	64 50
Geo. Oppel, bread.....	71 15
Johanna Yawman, bread.....	53 00
O'Kane Bros., meat.....	43 00
H. Hedtitch, meat.....	100 00
Joseph Schutte, Overseer's disbursements ..	74 25
Louis W. Brandt, printing for Excise Com.....	32 40
Express Printing Co., printing for Excise Com	21 65

Referred to the Poor Committee.

By Ald. Chambers—Petition of John Redhead and Walter S. Crowell for permission to erect wood buildings. Referred to the Wood Building Committee and Fire Marshal, with power to act.

By Ald. Chambers—Bills of

J. Margrander, screens for Treasurer's office...	\$17 50
Union and Advertiser, blanks for Treasurer's Office.....	89 50
J. C. Moore, blanks for Treasurer's office.....	63 90
Union and Advertiser, printing for M. C.....	7 50
Evening Express, printing.....	43 50
printing manuals.....	80 00

Referred to Contingent Expense Committee.
By Ald. Mandeville—Petition for gas mains in East Main street, and moved that the prayer of the petitioners be granted, and that the Gas Company be requested to lay the main. Adopted.

By Ald. Mandeville—Bills of

Scrantom & Wetmore, stationery.....	\$ 74 05
Do do do.....	17 00
J. R. Brady, painting Front street building.....	112 43
Wm. Connors, labor, &c.....	17 00
M. & E. Huntington, sundries.....	8 25
S. A. Millington, lettering door.....	3 00
Veyht and Bartholomay, repairing furniture..	10 50
J. R. Brady, painting in Ex. Board office.....	31 20
J. Tallman, soap.....	4 00
Watters & Doyle, coal.....	649 88
Roch. Gas Co., gas City Hall and Front street building.....	85 80

Referred to City Property Committee.

By Ald. Vay—Petition for stone sewer in Campbell street. Referred to the Sewer Committee. Also petition of Adelia E. Jennings for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act. Also a remonstrance against the erection of a barn on Sherman street. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Wickens—Petition for a flag walk on East Main street. Referred to the Improvement Committee. Also petition for water pipe on Sanford street, and moved that the prayer of the petition be granted. Adopted.

By Ald. Edelman—Bills of

Louis Ernst, hardware.....	\$1.75
C. H. Yost, services.....	5.00
Joseph White, hair.....	2.00

Referred to the Park Committee.

By Ald. Edelman—Petition of Chas. Goetz for permission to erect a wood building on St. Joseph street. Referred to the Wood Building Committee and Fire Marshal with power to act.

By Ald. Weaver—Petition of Chas. Bloss for permission to erect a wood building and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Weaver—Resolved, That the Water Works and Fire Board be and is hereby directed to lay water pipe in Olean street, from Hunter street to Cady street, a distance of about 200 feet, and in Cady st., from Olean st. 350 ft. west. Also

Resolved, That said Water and Fire Board is hereby requested to omit the laying of 400 feet of the water pipe heretofore directed to be laid in Hunter st., from Sumner st., 400 feet east. Adopted.

By Ald. Knobles—Petition of Thomas Laffin for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

Also the petition of Mrs. Susanna Schomer. Referred to Law Committee.

By Ald. Hart—Bill of

Alex. McLean, expenses for June.....	\$108 38
--------------------------------------	----------

Referred to Police Committee.

By Ald. Hart—Petition of George Bell for damages. Referred to Law Committee.

By Ald. Hart—Petition of T. Tschetter for damages. Referred to Law Committee.

By Ald. Hart—Claim of J. M. Bardwell. Referred to Law Committee.

By Ald. Hart—Petition of M. H. FitzSimons in regard to assessments. Referred to Assessment Committee.

By Ald. Chace—Petition of Margaret Booth for damages. Referred to Law Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Crouch, from the Poor Committee; Ald. Chamber, from the Contingent Expense Committee; Ald. Edleman, from the Park Committee; Ald. Hart, from the Police Committee; reported in favor of the bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., July 29, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Rochester Printing Co, publishing proceedings to July 1	\$ 235 00
C E Morris, stationery	115 35
Wm Whitehair, hack hire	2 00
Leary & Co, refreshments C. C.	15 00
And charge that fund	

POOR DEPARTMENT FUND.

P. H. Curran, meat	\$ 100 00
M. Erdle, do	25 00
Home of Industry, board of inmates	156 00
St. Joseph's Orphan Asylum, board of inmates	926 85
Rochester Orphan Asylum	775 79
Home of Friendless	129 00
City Hospital	1,225 75
H. & P. Bender, burials	111 00
P. Joyce	43 50
A. Hefner, bread	38 25
Home of Industry, bread	23 15
M. Buckley & Co., groceries	12 00
Smith, Perkins & Co., groceries	15 75
Thomas Stevenson	26 00
S. B. Roby, rent of coal yard	87 50
S. Wheeler, rent	8 60
J. B. Hahn, flour	109 95
J. H. Phelan, shoes	231 00
L. A. Pratt	205 00
Geo. Schofield, transportation	14 08
J. Schutte, disbursements	62 62
St. Mary's Hospital, board of inmates	3,651 00
And charge that fund	

LAMP DEPARTMENT FUND.

Citizens' Gas Co., gas and care lamps for June \$1,575 41
And charge that fund.

CITY PROPERTY FUND.

F. J. Irwin, monthly cleaning	\$84 20
E. Emerich, care of clocks from May 1st to Aug. 1st	62 50
And charge that fund	

PARK FUND.

A. Waldert, tools for parks	\$9 89
F. Knapp, work on parks for mo. of July	30 00
Jas. Edelman	30 00
Pat. Newcombe	30 00
Jos. Horton	30 00
Dan. Goulding	30 00
John Ralph	50 00
And charge that fund	

POLICE DEPARTMENT FUND.

C. E. Morris & Co., books and stationery	\$57 15
Rochester Printing Co., printing blanks	8 75
And charge that fund	

Ald. Crouch moved that the bill of Leary & Co. be added to the budget. Adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

Nays—Ald. Fitz Simons, Weaver.

The budget was then adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Hebing, from the Law Committee on Investigating the Affairs of the State Line Railroad, reported progress and asked for further time and presented the following :

NEW YORK, July 28, 1879.

To Ald. Henry Hebing :

A meeting of the Board of Directors of the Rochester and State Line Railroad will be held to-morrow, and it has been arranged that I shall take the presidency to represent the active Vanderbilt control of the line.

E. D. WORCESTER, Secretary.

Ald. Hart in the chair.

Ald. Otis presented the following as a substitute :

Whereas, The city of Rochester has a contract with Henry A. Taylor for the delivery of 6,000 shares of the capital stock of the Rochester and State Line Railway, guaranteed to be fully paid up; and

Whereas, We are informed that the said Taylor is about to ask the said city to accept the stock and to release him from any further obligations on said contract; and

Whereas, Much doubt exists as to whether or not the 6,000 shares of such stock are fully paid up; therefore,

Resolved, That a committee of three be appointed to obtain the opinion of Hon. J. L. Angle and J. C. Cochrane, as to whether the said stock is paid up, and if the said stock is paid up, would the city of Rochester be incurring any additional obligations by accepting such stock.

Ald. Tracy moved to refer the resolution to the Law Committee, and that the committee get the opinion of Judge Angle and James C. Cochrane, and report to this Board.

Adopted by the following vote :

Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—9.
Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

Ald. Otis moved to suspend the rule to adjourn at eleven o'clock. Adopted.

By Ald. FitzSimons—

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

GENTLEMEN—The special committee to whom was referred the communication of Messrs. Bentley, Meyers and Southwick, requesting the refunding of \$350 and interest expended by them in laying water mains from St. Paul street to Crouch's island, upon private ground, and for the protection of private property, respectfully submit the following adverse report :

Your committee find that Messrs. Bentley, Meyers and Southwick base their claim on the fact that a work precisely similar, only much more extensive, has been done on contiguous private property, at the expense of the city, said property belonging to the firm of Crouch Brothers, one of whom is a member of this Board.

In the judgement of your committee, and we cannot think it will be dissented from, it must be apparent that if it was legal, just and proper,

for the city to expend \$923.13 in extending the water-mains and erecting hydrants on the property owned by a member of this Board it would be equally just and proper that the city should bear the expense of similar improvements on the adjoining land of a firm, even though none of its members be so fortunate as to be a member of this Board, and this not only, but in all parts of the city by whomsoever the property may be owned.

The proceedings of the Common Council show that on the 27th of March last a resolution was introduced by the Alderman, who was a part owner of the property in question, directing the Executive Board to do this work previous to the filling of the canal with water, the cost to be taken out of the Contingent Fund to be repaid to that fund out of the appropriation to be made for extending water pipes; and that the resolution was adopted, but without taking the ayes and nays as imperatively required by the charter. Whether any Alderman voted for the resolution other than the mover of it does not appear but this is of little importance on the question as now presented because the resolution itself relates to a matter wholly outside of the jurisdiction of the Common Council; and it is fairly presumable that it was allowed to pass, or be so entered on the records, without any proper consideration of its merits or bearings. This is a matter which belonged exclusively to the Executive Board. They must have been fully assured of this fact, and therefore it does not palliate the wrong that the Common Council was made the scapegoat for its perpetration and as a matter of fact, the Executive Board did assume the responsibility of disposing of the property and labor of the city to the amount of \$923.13 upon private property and for private use without reference to any public street or common benefits. This action, as before intimated, cannot be attributed to ignorance of the distinctions between the public streets of the city and private property, for it appears that Board had received many applications in behalf of private interests and uniformly rejected them until Alderman Crouch was an applicant for a special favor.

Your Committee, therefore, in view of the above considerations, recommend the passage of the following resolution:

Resolved, That the request of Bentley, Meyers & Southwick be disallowed, and that the City Attorney be authorized to take such legal measures as he shall deem proper to reclaim the property of the city diverted to the use of Crouch Brothers, on Crouch's Island, or to recover damages from the persons responsible for such diversion.

M. H. FITZSIMONS.

The resolution was lost by the following vote: Ayes—Ald. FitzSimons, Otis, Mandeville, Wickens, Weaver—5.

Nays—Ald. Tracy, Warren, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

By Ald. FitzSimons—Resolved, That the Clerk draw an order in favor of C. H. Babcock for \$3,000, and charge Poor Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

To the Hon. Common Council:

The undersigned, citizens of Rochester, respectfully ask the attention of your board to the following statement of facts:

Edwin Ames of this city was on the 15th inst. in the employ of the Street Department, and was engaged with a team owned by him in rolling a new macadam dressing on the section of Plymouth avenue between West Main street and the Erie canal; and while so engaged at the top of the hill and near the canal bridge, the roller to which his team was attached went over the high embankment or approach, taking the team with it, whereby one of his horses was instantly killed and the other one injured so as to be useless.

The casualty was of a nature that could not well be foreseen or guarded against, and was not the result of any fault of Mr. Ames.

Mr. Ames is a respectable, hard-working man and dependent upon his earnings with his team for the support of himself and family.

This statement is presented to your honorable board with a request that such action shall be taken as shall aid Mr. Ames in procuring another team, as a means of earning a livelihood.

A. C. Gardner, O. N. Wilcox,
N. Osburn, Geo. H. Thompson,
N. B. Ellison, M. Filon,
A. G. Whitcomb, Brewster, Gordon & Co.
H. F. Atkinson, Smith, Perkins & Co.

EXECUTIVE BOARD
OF THE CITY OF ROCHESTER,
CITY HALL, July 21, 1879.

To the Common Council:

The members of the Executive Board have examined the accompanying statement, and find that the statements therein made are entirely correct, and we do respectfully commend the case of Mr. Ames to the favorable consideration of the Common Council.

FRANCIS P. KAVANAGH,
F. C. LAUER, JR.

Ald. Hart moved that the matter lie on the table until the next meeting. Adopted.

By the Clerk—

REPORT OF THE POLICE CLERK FOR THE MONTH OF JUNE, 1879.
POLICE COMMISSIONERS' OFFICE, }
July 14, 1879. }

To the Honorable the Common Council:

GENTLEMEN:—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of June, 1879, together with the amount collected:

June	Crime.	Penalty.	Paid.
2—Christian Eckart	drunk	\$ 10	
Morris Connors	..	10	
John McArde	..	5	
Samuel Cohen	petit larceny	10	10
John Seroth	drunk	10	10
Wm. McAlarney	assault	10	
3—Carl Zimmerman	drunk	10	
Lawrence Dugan	assault	10	5
Andrew Balman	drunk	10	5
Esther James	vio. ord.	10	
4—Harvey Thompson	drunk	5	4
Wm. Bishop	vio. ord.	10	
Hattie Bell	..	10	
Robt. Atridge	..	10	10
Geo. M. Stevens	drunk	5	
Rosa O'Hare	..	10	
Thos. Culross	..	5	5
James Mulqueen	assault	20	
Patrick McCann	drunk	5	
5—Mathias Raube	..	10	
James Kearn	vio. ord.	10	5

Louis Munn	..	5	2 50
Henry Gesell	..	5	2 50
6-John Burrs	drunk	10	
Wm. Cain	..	5	
Michael Kelly	..	5	
Richard Rynd	..	5	5
Mary Wright	..	5	
Patrick Normile	..	5	
7-Joseph Pero	..	5	5
Robert Jones	..	10	10
8-James Asan	..	10	10
Patrick Howard	..	5	5
George Hickman	..	5	5
John B. Hammond	..	5	5
Louis Cody	..	5	5
Thos. Ryan	..	5	5
Wm. Patterson	assault	10	
Geo. Mathews	vio. ord.	2	2
Louis Gunningfinker	..	2	2
Frank McAnally	..	2	2
Ed. Osborn	..	2	2
10-Bernard Dolan	drunk	10	
James Kirley	..	5	5
Artie Sullivan	..	5	
John E. Link	..	10	
Edward Geiger	..	10	
Rosa McBride	assault	50	50
Lizzie Wilson	drunk	10	10
Edward Bushler	..	10	
Anna Dixon	..	10	
Mary Rockwell	..	10	
Milla Bacon	..	10	
Libbie Perry	..	10	
Richard Lavis	..	5	5
Chas. Schultz	assault	5	5
Chas. Burris	vio. ord.	2	1 50
Wm. Widmer	..	2	2
Willard Dorsey	..	2	2
Oscar Harris	..	2	2
Eda Lamou	assault	5	5
11-Harry L. Spencer	vio. ord.	10	5
Fred. Leach	..	10	5
Chas. Ackard	..	10	5
Michael E. Healey	..	10	5
Maxey H. Lambert	..	10	5
James Bliss	assault	25	25
John McGrady	..	10	10
Patrick Riley	..	10	10
John Behan	..	10	10
John Moran	..	10	9 70
Martin Dolan	..	10	10
12-Eliza Shehal	drunk	5	
James McQuade	assault	10	5
Ada Bell	drunk	10	
Jos. Reinhart	assault	5	5
Eliza Ward	..	10	10
13-Mich. McCann	drunk	10	
Wm. H. Ingersoll	..	5	5
14-Bridget Mulvey	..	5	
Thos. Sullivan	..	5	
Frank McLaughlin	vio. ord	10	
Wm. Blisborough	drunk	5	4
Chas. Houser	..	10	5
Park. Donnelly	..	10	5
James B. Bell	..	10	5
Mch. Cummings	vio. ord.	5	
16-James Brennan	drunk	5	
James Mungavin	assault	10	2
Fredk. Wagner	cost	10	10
Fred. Fox	vio. ord.	2	2
17-John Rogan	drunk	5	
18-Annie Prescott	..	10	10
Patk. Planigan	..	10	
Mch. McFarlin	..	10	
John Mahoney	..	10	5
Lizzie Hart	..	10	5
Sam'l Critchley	..	10	
Peter Brabson	crueity to an'mls	10	5
Arthur Engert	vio. ord.	5	2
80-Thos. McGowan	drunk	10	
John McGraw	..	5	5
John Rowbotham	..	5	5
Joseph Williams	..	5	
Jarusha Burris	assault	10	
Mary Howard	..	10	
Wm. Maper	..	2	2
Ed. Babcock	vio. ord.	2	2
Ed. Miller	..	2	2
Geo. Schoeffel	..	2	2
21- Annie Prescott	drunk	10	
Andrew O'Donnell	..	10	
Margaret Leopold	..	10	
Paul Doniva	..	10	
Jennie McGuire	..	10	
Isaac Crane	assault	5	5
Ostert L. Cook	vio. ord.	5	
Bridget C. Hogan	..	5	
Geo. Hooper	..	5	
Andrew Schultz	..	5	
82-John Koener	petit larceny	10	10
John Cotter	drunk	5	
James Barry	assault	25	

Frank Allen	vio. ord.	10	5
Albert Wait	..	10	5
Thos. Clark	crueity to animalf	10	10
24-Wm. Vose	drunk	10	5
Mich. O'Connor	..	10	5
Dutterfield Lace	..	5	
Oliver Johnson	..	10	10
Wm. McKee	..	10	
James Waish	..	10	
Wm. Barber	..	10	10
Wm. McKee	vio. ord.	10	
Geo. Eckhart	drunk	5	5
25-Thos. Garrity	..	10	5
26-Peter Fisher	..	10	5
Patk. Claidie	..	10	5
Geo. Glover	assault	10	5
Edward Tilden	drunk	5	5
Samuel Frazier	..	5	5
27-Bernard Mensing	assault	5	5
Joh Keltz	drunk	5	5
Henrietta Lampike	assault	10	10
28-John Morgan	drunk	5	5
Jacob Barscheker	assault	25	
30-John Mathews	..	10	
Thomas Fergusson	drunk	5	5
Geo. Monaghan	..	10	5
Joseph Kanupfer	..	5	5
Robt. Swanton	..	5	5
Frank Little	..	10	10
Mich. Healey	..	10	
Geo. Lang	vio. ord.	10	2
Chas. Leonard	assault	2	
Fines imposed by Commissioners		10	

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Poicen Justice for the month of June, 1879, is true.

B. FRANK ENOS, Clerk.
Sworn to before me this 15th day of July, 1879.

PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.

By the Clerk--

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF JULY.
To the Honorable the Common Council of the City of Rochester:

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, respectfully report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the accompanying schedule, commencing July 7th, to and including July 28th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Peter Connaughton, 5 Hunter	\$20
Michael Cummings, 10 Platt	40
Jacob Schmor, 1 Baden	20
Wm. Strutz, 116 S. av.	20
Frederick Buhr, 104 N. Clinton	40
Joseph Kaufmann, 102 N. Clinton	40
John M. Kurtz, 99 Front	40
Walter B. Duffy, 27 Lake av.	30
Switzhard & Hondorf, 14 Exchange place	40
Joseph Ringelstein, 20 Exchange place	40
Wendell Bierkholz, 76 Chatham	30
Eugene Welker, 31 Herman	30
John Stewart, 117 W. av.	40
Charles Weld, 243 State	20
Frank Eden, 94 Front	40
Patrick McCormick, Mill and Platt	40
Gertrude A. Bartler, 16 Hanover	20
John Egan, 163 Socio	20
Martin Williams, 156 Socio	20
John C. Martin, Francis and Maple	20
Roman Ovenburg, 1 Lowell	20
John J. Vail, 41 E. Main	20
Dennis Daly, 232 State	20
Sarah Burrell, 43 State	40
Ellen G. Kase, 267 Plymouth	40
Chas. Armbruster & Co., 142 Hudson	30
Anthony H. Martin, Lyell and Childs	30
Henry Bertel, 66 W. av.	20
William Hondorf, 12 Exchange place	20
Christian Maunes, 78 S. av.	20
John Theiss, 54 Water	20
George Brueck, 119 S. av.	20
Lioba Bayer, 506 N. Clinton	25
Bernard O'Hara, 178 W. Main	40
Richard Vay, 266 Brown	40
Mary Nichols, 112 W. Main	20
Kaufman & Co., 112 W. Main	20
P. J. Monaghan, 138 W. Main	30
Thos. McClusky, Lake av.	20
Wm. H. Vickerman, 143 W. Main	40
Patrick Crough, 4 R.R. av.	20
J. H. Auer, 32 Front	20

Lena Schroth, 39 Reynolds.....	30
Theo. Bauer, Clifford and St. Joseph.....	20
Marcus Killeen, 85 S. St. Paul.....	20
Frank W. Caring, 101 N. Clinton.....	20
Joseph H. Hubcheck, 208 E. Main.....	30
Wm. Zimmer, 84 Atwater.....	30
Joseph Berdel, 222 W. Main.....	20
H. C. George & Co., 59 S. Fitzhugh.....	40
John Cathan, 89 Front.....	40
Charles Zimmer, 40 Caroline.....	30
A. & W. Rodenbach, 37 N. av.....	20
Charles G. Wolf, Pinnacle av.....	30
John C. Witman, 136 St. Joseph.....	20
Geo. W. Marshall, Powers' block.....	40
George Ford, 129 State.....	20
Louis Engel, 20 Stone.....	20
Edward J. O'Neil, 342 State.....	30
Phillip Stape, 181 Scio.....	40
Marcellus Bauer, 52 Front.....	20
Fritz Kesel, 270 N. Clinton.....	20
Stephen Stret, St. Joseph and Sullivan.....	40
Wilson Sprague, 82 Mill.....	40
Ferdinand Ritz, 91 N. Clinton.....	40
Geo. R. Dutton, 52 S. av.....	30
Benedict Kruger, 32 St. Joseph.....	20
Nicholas Kuhn, 29 N. Clinton.....	20
Frederick Hess, 67 N. av.....	20
Titus Eckert, Clifford.....	20
John H. Leehman, 227 N. Clinton.....	20
Ida Kehrig, 9 S. St. Paul.....	40
Frederick Leidecker, 298 N. Clinton.....	20
Fred. H. Merlau, 330 State.....	30
Norman H. Slade, 40 S. St. Paul.....	40
Geo. W. Johns, 110 N. Clinton.....	30
Frank L. Hewitt, 44 S. av.....	40
Patrick H. Curran, 56 Spring.....	20
Andrew E. O'Keefe, 73 W. Maple.....	20

Total..... \$2,210
 We have disposed of said moneys as follows :
 Deposited with City Treasurer..... \$2,210
 Licenses have been granted to all of the above
 named applicants.

Dated Rochester, July 28th, 1879.
 STATE OF NEW YORK, } ss.
 County of Monroe.
 Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of the city of Rochester, in said County, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of persons and dates therein given, are correctly set forth in said report, and that the said report embraces the whole of the moneys received from July 7 to and including July 28, 1879.

VINCENT M. SMITH,
 PORTER W. TAYLOR,
 EDWARD E. BAUSCH,
 Excise Com'rs.

Sworn to before me this 28th day of July, 1879.
 PARIS G. CLARK, Commissioner of Deeds.
 Ordered received, filed and published.

By the Clerk—
 CITY CLERK'S OFFICE,
 ROCHESTER, N. Y., July 29, 1879. }

To the Honorable the Common Council:
 In accordance with section 29, revised City Charter, I report the following named persons as having qualified and taken the oath of office:

- POLICE COMMISSIONER.
 Jacob, Howe, Jr.
 COMMISSIONERS OF DEEDS.
 Martin Frison.
 Chester B. Thomas.
 Richard Hudson.
 Wm. Johnson.
 EDWARD ANGEVINE, City Clerk.

To the Honorable Members of the Common Council:

Your honorable body is cordially invited to attend a celebration to be given by the Rochester Colored Cornet Band, at Falls Field, Friday, August 1, in honor of the Emancipation of Slavery.

SAMUEL JONES,
 JESSIE RUCKER,
 JAMES HOWARD,
 ROCHESTER, July 28th, 1879. Committee.
 Ald. Hart moved that the invitation be accepted. Adopted.
 By the Clerk—

ROCHESTER, July 29, 1879.

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

GENTLEMEN—The undersigned hereby respectfully remonstrates and protests against the proposed closing of Goodman street, and the erection of the proposed bridge over the railroad on East Main street in this city.

I am the owner of real estate lying and being in the triangle between the lands of the New York Central Railroad and Goodman and East Main streets, which lands and premises will be greatly damaged and depreciated in value if such proposed bridge shall be built and said Goodman street closed, after the plans under contemplation.

Very respectfully, &c.,
 OTIS N. WILCOX,
 Per CHAS. S. BAKER, his Attorney.
 Referred to the Law Committee.
 By the Clerk—

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

The Central Union Telegraph Company of the State of New York respectfully petition your honorable body for permission to erect telegraph lines in the city of Rochester, and for this purpose to place the necessary poles along the streets of the city, avoiding the principle streets as far as practicable and the use of objectionable fixtures.

Respectfully submitted.
 Ald. Crouch moved that the matter be referred to a special committee to report at the next meeting. Adopted.

ACTION ON ORDINANCES.

FIRST ORDINANCES.

STONE SEWER IN CAMPBELL STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a stone sewer 1½x2½ feet, in Campbell street, from the sewer in Saxton street, to a point 112 feet west of Grape street; also, the necessary surface sewers, lot laterals and man-holes

Adopted.
 Reported as such estimate \$1,668.00.

By Ald. Edelman—Resolved, That the following improvement is expedient, viz:
 The construction of a stone sewer 1½x2½ feet in Campbell street, from the sewer in Saxton street to a point 112 feet west of Grape street; also, the necessary surface sewers, lot laterals and man-holes.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$1,668, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:
 One tier of lots on each side of Campbell street, from Saxton street to a point 112 feet west of Grape street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, section 163, of the Revised Charter of 1874, of the city of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, August the 1st, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.
 Adopted.

PLANK WALK ON CHAMPLAIN STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk 5 feet and 4 inches wide on the north side of Champlain street, from Reynolds street to Seward street.

Adopted.
 The Surveyor submitted as such estimate \$260.
 By Ald. Wickens—Resolved, That the following improvement is expedient, viz:
 The construction of a plank walk 5 feet and 4 inches wide on the north side of Champlain street, from Reynolds street to Seward street.

And whereas the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$260, which estimate is hereby approved.

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

One tier of lots on the north side of Champlain street, from Reynolds street to Seward street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, August the 12th, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

EAST MAIN STREET FLAG STONE WALK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a flag stone walk five feet wide on each side of East Main street, from University avenue to Goodman street, except where good flag stone walks now exist, and at the bridge over the railroad.

Adopted.

The Surveyor submitted as such estimate \$8,500.

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

The construction of a flag stone walk five feet wide, on each side of East Main street, from University avenue to Goodman street, except where good flag stone walks now exist, and at the bridge over the railroad.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$8,500, which estimate is hereby approved:

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

One tier of lots on each side of East Main street from University avenue to Goodman street.

And further Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows:

One-third of the amount assessed within thirty days after the advertisement of the Assessment Roll; one-third of the amount within one year from the confirmation of said Roll; and the remaining one-third within two years from the confirmation of said Roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874 of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, August 12, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FRANKLIN SQUARE FLAG WALK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a flag walk six feet wide in Franklin Square from the north-east to the southwest corner thereof; also from the northwest to the southeast corner thereof; also from the north side to the south side thereof, through the middle of the square.

Adopted.

The Surveyor submitted as such estimate, \$2,080.

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

The construction of a flag walk six feet wide in Franklin Square from the northwest to the southwest corner thereof; also from the northwest to the southeast corner thereof; also from the north side to the south side thereof, through the middle of the square.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$2,080, which estimate is hereby approved.

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

The Sixth Ward of the city of Rochester.

And further resolved, That the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of such roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed of seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165, of the Revised

Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening Aug. the 12th, 1879, at 7½ o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN DAVIS STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a pipe sewer 12 inches and 1½ inches in diameter in Davis street, from the sewer in Finney street to a point 175 feet east thereof; also, the necessary surface sewers, of laterals and man holes.

Adopted.

The Surveyor submitted as such estimate \$1,082.

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

The construction of a pipe sewer 12 inches and 1½ inches in diameter in Davis street, from the sewer in Finney street to a point 175 feet east thereof; also, the necessary surface sewers of laterals and man holes.

And whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$1,082, which estimate is hereby approved.

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

One tier of lots on each side of Davis street, from Finney street to a point 175 feet east thereof.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, August 12, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

CITY TREASURER'S OFFICE,
Rochester, N. Y., July 25, 1879.

To the Honorable the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2069 for Lincoln street walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$620.57.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT N. O. 2060.

LINCOLN ST. IMPROVEMENT.

Whereas, The Common Council did upon the 6th day of May, 1879, enact an ordinance for Lincoln st. walk.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$620.57, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of lands on each side of Lincoln st., from Channing st. to Clifford st.

Therefore, resolved, That the sum of \$620.57, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expenses, in proportion, as nearly as may be to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 2d day of August 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Pace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Kart—15.

CITY TREASURER'S OFFICE,
Rochester, July 25, 1879.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,058, for Helena street walk, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$65.25.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,053.

HELENA STREET WALK.

Whereas, The Common Council did upon the 23d day of April, 1879, enact an ordinance for Helena street walk.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$68.25, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the north side of Helena street from Hudson street to North street.

Therefore, Resolved, That the sum of \$68.25, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 2d day of Aug., 1879, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., July 25, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2055, for improving University avenue walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$187.52.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2055.

Whereas, The Common Council did upon the 23d day of April, 1879, enact an ordinance for the improvement of University avenue walk.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$187.52, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the north side of University avenue, from the east line of Anderson avenue to the N. Y. railroad crossing.

Therefore, Resolved, That the sum of \$187.52, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 2d day of August, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., July 25th, 1879. }

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

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2054, for Wadsworth street walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$155.14.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT, ASSESSMENT NO. 2,054.

Whereas, The Common Council did upon the 23d day of April, 1879, enact an ordinance for Wadsworth st. plank walk.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$155.14, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the south side of Wadsworth st. from Hudson st. to North st.

Therefore, Resolved, That the sum of \$155.14, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 2d day of August, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, July 25th, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2037, for East Main street walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$1,124.47.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,037.

EAST MAIN STREET FLAG WALK.

Whereas, The Common Council did upon the 13th day of November, 1878, enact an ordinance for flag walk on East Main street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$1,124.47, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the south side of East Main street, from Clinton street to Elm street, in front of which said proposed flag walks may be constructed.

Therefore, Resolved, That the sum of \$1,124.47, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said City so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 2d day of August, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for extension of Lake avenue sewer came up and on motion it was postponed two weeks with instructions to the Surveyor to amend the same so that a stone or iron pipe sewer can be constructed.

The final ordinance for sidewalk on Ames street came up.

Ald. Knobles presented a remonstrance and moved that action on the ordinance be postponed two weeks.

Adopted.
Allegations were heard on the final ordinance for opening and extension of Goodman street and Ald. Hart moved to postpone action for two weeks.
Adopted.

UNFINISHED BUSINESS.

Ald. Hart moved to reconsider the resolution offered by Ald. Westbury at the last meeting and adopted, as follows:

By Ald. Westbury—Resolved, That the special committee appointed by this Board to rearrange the distribution of lamps throughout

the city, before removing any of the lamps in any street, they report to this Board the proposed change and location of each lamp on such street, and that the Clerk publish such report, together with a notice to all persons interested in the subject matter of the rearrangement and location of such lamps, to attend the next regular meeting of the Common Council when allegations will be heard.

Adopted.

Ald. Hart then moved the indefinite postponement of the resolution. Adopted.

By the Clerk—

Resolved, That the Mayor, on behalf of the city, enter into a contract with the Traders' Bank and Flour City Bank, each for one-third of the city's bank account for the next fiscal year—the contracts to be drawn in the same manner as last year's contract with the Traders' and Flour City Banks.

Ald. Knobles moved a reconsideration of the vote taken at a previous meeting, striking out of the resolution as originally offered "The Commercial Bank."

Lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Weaver, Knobles—4.

Nays—Ald. Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Hart—11.

The motion of Ald. Weaver, offered at a previous meeting, to add the City Bank, was adopted by the following vote:

Ayes—Ald. FitzSimons, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—9.

Nays—Ald. Tracy, Otis, Warren, Hebing, Chace, Knobles—6.

The original resolution as amended was then adopted by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Nays—Ald. Tracy.

EXECUTIVE BUSINESS.

Ald. Warren moved to proceed to ballot for Commissioners of Deeds. Adopted.

The following named persons, having received the requisite number of votes, were declared elected Commissioners of Deeds:

W. H. McNulty, E. H. Palmer, Montgomery Gibbons, John Kavanagh, Roy C. Webster, William E. Warner.

MISCELLANEOUS BUSINESS.

By Ald. Tracy—

Whereas, It has been stated by a member of this Board that a certain other member thereof had been offered money to influence his vote in the matter of the State Line Railroad; and,

Whereas, In common justice and fairness to the members of this Board, the Alderman making the assertion should name the person; therefore,

Resolved, That the Alderman making the statement be, and hereby is requested, to name the person or withdraw the charge.

Adopted.

By Ald. Tracy—Resolved, That the Clerk draw orders on the City Treasurer in favor of the Rochester Gas Company for \$1,923.17, the Citizens' Gas Company for \$2,340.57, and Charles A. Jeffords for \$717.75, for care of gas and kerosene lamps for month of July, and charge Lamp Fund on 1st of month.

25

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. FitzSimons—Whereas, The Police Clerk has been required to pay the police force once a month, thereby enlarging the routine of onerous duties thrust upon that overtaxed official; therefore,

Resolved, That the practice of paying the gross amount of the police budget to the Police Clerk be abandoned. Adopted.

By Ald. Warren—Whereas, An ordinance was passed February 7th, 1852, for the continuation of Reynolds street, under which an assessment was confirmed April 19th, 1864; and

Whereas, T. W. Dwight was assessed upon said roll for the aggregate sum of \$125 upon Lot 30, Strong Tract, west side, Reynolds street, and Lot 23, same tract and on east side of Reynolds street; and

Whereas, An award was made of the sum of \$225 for land taken from said Lot 30, which award said Dwight apparently refused to receive or to pay said assessment, as upon the 28th day of June, 1865, the Common Council directed the Treasurer to deposit said award to the credit of said Dwight in the Flour City Bank after deducting the amount of said assessment and expenses accrued thereon, which was done, and upon the 16th day of September, 1865, the sum of \$97.82 was so deposited, according to Section 175 of the City Charter; therefore,

Resolved, That the Treasurer be and is hereby directed to cancel the above named assessments against Lots 30 and 23, Strong Tract, the amount thereof having been deducted from the award when deposited in the Flour City Bank, while the same were not cancelled upon the assessment roll but still appear as remaining unsatisfied. Adopted.

By Ald. Warren—Resolved, That the City Treasurer be and is hereby authorized to collect of Emily H. Vosburgh \$85 in full for her tax on southwest part of lot No. 12 on the east side of Chestnut street, in the Fourth Ward, and charge the balance of said tax to erroneous assessments. Adopted.

By Ald. Chambers—Resolved, That the Water Works and Fire Board be and is hereby directed to lay water pipe in Julia street, from West avenue to Troup street, at an expense not to exceed \$600, and charge Water Pipe Fund. Adopted.

By Ald. Chambers—Resolved, That the Clerk order from Drew, Allis & Co. ten new City Directories for the use of the several city offices. Adopted.

The President announced as the committee on the petition of the Central Union Telegraph Company: Ald. Crouch, Westbury, Knobles.

CITY OF ROCHESTER, N. Y., July 26.

In Common Council, 1879.

By Ald. Mandeville—Resolved, That the Finance Committee be authorized to make such arrangements as they deem expedient in relation to the collection of fees for penal ordinance licenses within the city of Rochester, excepting those relating to hackmen, markets and draymen.

Adopted by the following vote:

Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville,

Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Vay—Resolved, That the New York Central Railroad Company be requested to at once repair the east crosswalk on West Maple st., over which their tracks are laid, and the City Clerk be instructed to notify said company to that effect. Adopted.

By Ald. Vay—Resolved, That the Executive Board be requested to at once grade Tonawanda st. and put it in proper shape. Adopted.

By Ald. Vay—Resolved, That the Lamp Committee is hereby directed to at once remove the naphtha lamps from the 11th Ward, and substitute for the same gas furnished by the Rochester Gas Light Co.

Adopted by the following vote:

Ayes—Ald. Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—10.

Nays—Ald. Tracy, FitzSimons, Otis, Warren—4.

Ald. Weaver moved that the prayer of the petitioners for laying of pipes in Genesee street be granted and that the Water Works and Fire Board be directed to lay the pipes therein. Adopted.

By Ald. Weaver—Resolved, That Ald. Otis and Ald. Vay be added to the Committee on the Maintenance and Support of the Poor.

Ald. Hart moved as an amendment that the President appoint the two additional members of the committee.

Adopted by the following vote:

Ayes—Ald. Tracy, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—8.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

The original resolution as amended was then adopted.

The President appointed as such additional members, Ald. Hart and Knobles.

Ald. Hart moved that the Board adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, August 4th, 1879.

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. FitzSimons, Westbury, Otis, Hebing, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—11.

Absent—Ald. Tracy, Warren, Crouch, Chambers, Mandeville—5.

The President said:

In the absence of his Honor the Mayor, it is my duty to announce to the Council the sudden death of Ezra Jones, Chairman of the Executive Board of this city. I deemed it proper to call a special meeting to enable you to take such action as you might think fitting and proper.

Ald. Hart offered the following:

Whereas, Death has suddenly removed from us Ezra Jones, Chairman of the Executive Board since May last, associated with us in managing the municipality; and

Whereas, It is fitting that we should express our sorrow at the sudden termination of a life of integrity and usefulness, and acknowledging the great loss, not only to ourselves, but to the community generally, whose interests

and welfare we know the deceased had earnestly heart and for which he zealously labored since assuming official position; therefore, be it

Resolved, That we recognize in this dispensation the realization of the edict for all mankind, and while regretting the sudden termination of all relations with deceased, we rejoice that his mantle was laid aside while actively engaged in the laborious duties of his high position and in the consciousness of a well spent and honest life.

Resolved, That the Council will attend the funeral of deceased in a body.

Resolved, That the Clerk is hereby directed to transmit a copy of the preambles and resolutions to the family of deceased, with the expression of our warmest sympathy in their affliction. Adopted.

Ald. Hebing moved a committee of five to make arrangement for attending the funeral. Adopted.

The President named as the committee, Ald. Hebing, Edelman, Vay, Wickens, FitzSimons.

The Board then adjourned on motion of Ald. Edelman.

EDWARD ANGEVINE, City Clerk.

In Common Council, Aug. 12, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart.

The minutes of the last meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Otis—Petition of citizens living on Mathews street for the abatement of a nuisance. Referred to the Board of Health.

By Ald. Hebing—Bills of

James L. Angle, legal services.....\$ 105 00
James C. Cochrane, "..... 100 00

Referred to the Law Committee.

By Ald. Crouch—Bills of

Joseph A. Otto, groceries.....	\$ 33 00
Hoffman & Maier, burials.....	51 00
M. Buckley & Co., groceries.....	15 00
Boardman, Sherman & Co., flour.....	158 20
Gerling Bros., flour.....	74 50
W. & J. M. Aikenhead, soap and candles.....	44 75
A. H. Cork, groceries.....	13 57
John B. Hahn, flour and meal.....	37 50
Geo. Schofield, transportation.....	38 65
Zegewitz & Fisher, meat.....	100 00
Louis Klein, bread.....	74 15
Thomas Stevenson, groceries.....	8 00
J. H. Frick, burials.....	12 00
Smith, Perkins & Co., groceries.....	10 50
Moore & Cole, groceries.....	8 00
E. R. Andrews, printing for Executive Board..	26 75
Smith, Perkins & Co., groceries.....	533 62

Referred to Poor Committee.

By Ald. Chambers—Petition for a stone sewer in Hunter st. Referred to the Sewer Committee.

By Ald. Chambers—Bills of

Union and A. Advertiser.....	\$ 11 25
..... Index C.C.....	57 03
Williamson & Higbie, stationery.....	28 83
Leary & Co., refreshments.....	15 00
Wm. Washburn, hack hire.....	2 00
..... Wetmore, stationery.....	74 05

Referred to Contingent Expense Committee.

By Ald. Mandeville—Bills of
 Frost & Co., labor and material.....\$ 12 15
 Burke, FitzSimons & Co., towels..... 10 00
 Scrantom & Wetmore, lawn mower..... 17 00

Referred to City Property Committee.
 By Ald. Vay—Remonstrance against the
 widening of Tonawanda street. Tabled.

By Ald. Edelman—Bills of
 Mutchler Bros., drinking fountain.....\$ 190 95
 R. B. Randall, repairing mowers..... 26 25
 J. S. Miller, labor..... 32 50
 Blakeley, King & Carey, repairs..... 20 77
 pipe, &c..... 177 00

Referred to Park Committee.
 By Ald. Weaver—Petition of A. H. Ship-
 man to erect a wood building, and moved that
 permission be granted. Adopted.

By Ald. Hart—Petition for water pipe on
 East Main street, and moved that the prayer
 of the petitioner be granted. Adopted.

By Ald. Hart—Bill of
 Alex. McLean, expenses for July..... \$68 39
 Referred to Police Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Hebing, from the Law Committee;
 Ald. Crouch, from the Poor Committee; Ald.
 Chambers, from the Contingent Expense Com-
 mittee; Ald. Mandeville, from the City Prop-
 erty Committee; Ald. Edelman, from the Park
 Committee; Ald. Hart, from the Police Com-
 mittee; reported in favor of the bills referred
 to their respective committees, and referred
 them to the Finance Committee for payment.

By Ald. Hart—

REPORT OF THE POLICE CLERK FOR THE MONTH

OF JULY, 1879.

POLICE COMMISSIONERS' OFFICE, }
 Aug. 14, 1879. }

To the Honorable the Common Council:

GENTLEMEN:—I respectfully report the following as
 the total amount of fines and penalties imposed by the
 Police Justice for the month of July, 1879, together
 with the amount collected:

July	Crime.	Penalty.	Paid.
1—Patrick Kinney	drunk	\$ 5	
Mary Gilbert	..	10	
Kate Kinsella	..	10	
Wm. Gilbert	..	5	
Wash. Moses	cruelty to animals	10	5
2—Adolphus T. LaDuque	disorderly	cost	4
John Kilkelly	drunk	5	5
John Wirsch	..	5	
Bertie Havens	vio. ordinance	10	5
David Connolly	..	10	5
Chas. King	drunk	10	5
3—John Apple	petit larceny	cost	5
Dani. Collins	assault	..	3
4—Butterfield Lace	drunk	3	3
Hugh McMahon	..	10	5
Patrick Ward	..	10	5
5—Michael T. Burns	assault	50	
Timothy Sullivan	drunk	5	5
James Boyle	..	5	5
James Conway	..	5	5
Geo. McPherson	..	5	5
Catherine Whitbeck	..	5	5
Wm. Quinn	..	10	5
James Bell	..	10	5
Matilda J. Dean	vio. ordinance	100	100
Anna Giering	..	100	100
Minnie Grant	..	100	100
Jennie Doty	..	100	100
Fanny Stevens	..	100	100
Mary Hall	..	100	68
Lucy Wagner	..	100	100
Eliza Witherell	..	100	
Frankie Russell	..	100	100
Sophronia Hawkins	..	100	50
Emma Harper	..	25	25
Bessie Lawrence	..	25	25
Jcse Page	..	25	35
Mollie Malem	..	25	25
Georgie Stanton	..	25	25
Frankie White	..	25	25
Frankie Lee	..	25	25
Nellie Stevens	..	25	25
Kittie Elwood	..	25	25

Cora Blanchard	..	25	25
Nellie Ostrander	..	25	25
Dolly Pearl	..	25	25
Gussie Allen	..	25	25
Carrie Seaman	..	25	25
Bell Lord	..	25	25
Juliette Williams	..	25	25
Susie Emerson	..	25	25
Millie Brown	..	25	25
Dell Cummings	..	25	25
Flora Allen	..	25	25
Maggie Fredway	..	25	25
Ann Ames	..	25	25
Cora Wade	..	25	25
Maud Campbell	..	25	25
Amelia Price	..	25	25
Joseph Boshet	assault		
Sidney Kennison	..		
Joseph Hettlinger	..	cost	5
Henry Dixon	..	5	5
7—Deha Clark	..	50	
Ann Lampher	..	50	
John E. Kennedy	drunk	10	19
Jeremiah Keeler	..	5	5
James McCullough	..	5	
John Livingston	..	10	
Susan Butler	..	10	
Jennie Ragan	..	10	
7—Susan Simpson	vio. ord	100	100
Klittie Brown	..	100	50
Eva'a Furn-r	..	25	25
Frank M Preston	..	5	
8—Maggie Davenport	..	100	25
John Hopwood	assault	5	5
John McKinna	..	5	5
Fred Homan	..	5	5
9—Peter Havey	drunk	10	
Maggie Connors	..	10	
Stephen Hansahan	..	5	
Peter A. Erickson	..	10	5
Joseph Lasson	vio. ord.	5	5
10—Wm Pilkington	drunk	5	5
Margaret Kiline	..	5	
Wilson D Oviatt	..	10	10
Fred Helling	petit larceny	cost	6
Wm Ragan	drunk	5	5
11—Adison Topliff	..	5	
Goman Heffner	assault	25	
Thos. Buckley	vio. ord.	10	5
Philp Reinfeld	..	10	5
Hannah Schwartz	..	100	
Carrie Lee	..	25	25
Lizzie Moore	..	25	25
Gergie Spivler	..	25	25
12—Peter Swamberry	drunk	5	
Patrick McMahon	..	5	
John Cotter	..	5	
James H Cain	..	5	
14—Mary O'Hare	..	10	
Geo Miller	..	10	
Chas Schaffer	assault	5	5
Daniel Loebis	..		
Geo Stohl	..	cost	5
Herman Tuffel	..	5	
Bernard Kearney	vio ord	5	
15—Ed Weber	..	2	2
Mary Briggs	drunk	10	
Hannah Dwyer	..	10	
Henry Almorath	..	10	10
Julia Maher	..	10	10
Geo Heifler	vio ord	5	5
16—Jesse Wilson	drunk	5	4
Mary Curlett	..	5	
17—Anthony Youngman	..	10	5
18—Thos Moran	..	10	
Jas Mungavin	assault	10	
Maggie Duncan	..	10	
Daniel Graham	drunk	5	5
Thos McAnally	..	5	
Mich Dries	..	5	5
19—Cornelius S Boyle	..	5	5
Mathew Smith	..	5	5
Eliza Coffee	..	5	
Martin Eagan	..	5	
Wm McNamara	vio ord	10	
Andrew Gerlock	..	10	
Robt Bock	..	10	
Mary Carpenter	malicious trespass	cost	2
John McCarty	disorderly	3	3
21—Wm H Pollard	assault	50	35
Rosa O'Hara	drunk	10	
Chas Greggs	..	5	
Fat'k Ward	vio. ord.	10	5
Chas D Butler	drunk	5	
Mary Fitts	vio. ord.	100	23
Wm Hook	..	10	5
Owen Doyle	assault	10	5
22—Paul Wehte	drunk	10	10
Wm Sheldon	..	5	5
Giles Stiles	..	5	5
Jos Eberbauer	..	50	50
Geo Corbett	vio. ord.	50	50

Lilian Corbett	..	50	50
Peter Nensing	..	10	9
28—Thos Rigney	drunk	10	5
John Frazier	..	10	5
John Murray	..	10	
Wells Leonard,	..	5	
Fred Stitzel	vio. ord.	5	5
Cath Flood	..	3	25
24—Jerome Mackevers	drunk	10	5
John Emf	..	5	5
Fred Hemmen	..	5	5
Chas Nodecker	..	10	
Nallie J Hall	..	5	5
Mary Emperor	..	10	5
Geo McCoy	assault	5	5
Geo Getz	..	5	5
Bridget Riley	vio. ord.	10	
Elwood Smith	..	2	2
John O'Hara	..	2	2
John Widman	..	10	
25—Luka Ferguson	drunk	5	
Annie Sullivan	..	10	
Bridget Shaughnessy	..	10	
26—John Hogan	..	5	
Rosa ears	assault	5	
28—John Mann	drunk	5	
Ed M Cullen	assault	10	
Jennie McCoy	vio ord	50	
Chauncey Suits	cruelty to animals	5	10
29—James Clark	drunk	5	3
Ellen Terry	..	10	
Henry Christie	assault	10	
30—John Murch	drunk	10	10
John Sackett	..	10	
Kate Doyle	..	10	
August Bearman	vio ord	5	5
Julius T Andrews	..	5	5
David Carroll,	drunk	10	10
Celia Kinney	..	5	
31—Henry Michels	..	10	10
John Knorr	assault	5	5
Fines by Commissioners	..	25	

\$2,292 00

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of July, 1879, is true.

B. FRANK ENOS, Clerk.

Sworn to before me this 12th day of Aug., 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.

By Ald. Hebing—

To the honorable the common council of the city of Rochester:

GENTLEMEN: Your committee, to whom was referred the matter of the Rochester and State Line railroad, beg leave to report that after a long and careful examination they find the following facts to appear: The city, after being duly authorized by act of legislature, issued \$600,000 of its bonds and exchanged the same for a like amount of first mortgage bonds of said railroad under several resolutions of the common council, passed at various times. Now as to the exchange of the first mortgage bonds for stock, after the appointment of a special committee to bring about some satisfactory arrangement for the completion of the road, the common council agreed to sell or deliver the amount of the first mortgage bonds (\$600,000) to H. A. Taylor, for a like amount of the stock of the railroad, fully paid up. Such delivery of bonds was made to the said H. A. Taylor. Whether this was legally done is a question of which your committee have serious doubts, and on which the opinion of attorneys somewhat differ. As a guarantee for the delivery of such stock fully paid up, there is deposited with the city treasurer a contract signed by H. A. Taylor, Isaac S. Waterman and Thomas Leighton, agreeing to deliver to the city by the first day of July, 1877, \$600,000 of the stock of said company fully paid up; this contract or agreement has not been fulfilled. It is, therefore, the opinion of your committee that the city should take such steps as will secure to its treasury the delivery of the \$600,000 stock fully paid up, or if the city has been in any way defrauded, then to assert its legal rights. Your committee express no opinion of their own as to the stock which might be offered; being paid up stock. The opinion of the Hon. J. L. Angle and James C. Cochrane is so plain and explicit that there cannot be any mis-

take on that point. The opinion of these gentlemen is herewith submitted for your consideration, also copies of all the contracts, engineer's estimates and such other papers as may have any bearing on the case. All of which is respectfully submitted.

HENRY HEHBING,
LEWIS EDELMAN,
D. H. WESTBURN,
E. B. CHACE,
Committee.

Adopted.

By Ald. Hebing—

In the matter of the stock of the Rochester and State Line railway company. Opinion of James L. Angle and James C. Cochrane.

To the Honorable the Law Committee of the Common Council of the city of Rochester:

GENTLEMEN: Our opinion is asked whether the 6,000 shares of the Rochester and State Line railway company, which it is understood Henry A. Taylor is about to ask the said city to accept and release him from further obligation on his contract, has been fully paid up.

In the month of June, 1869, the Rochester and State Line railway company was organized under the general act of 1850, with a capital of \$2,000,000, divided into 20,000 shares of \$100 each. The estimated length of the road was eighty-five miles, terminating at a point on the Pennsylvania line near where the Genesee river crosses the same.

Subscriptions to stock under this organization were made to the amount of \$87,040. In March, 1870, the route was changed so as to have the termination at Salamanca, and in 1876 the capital stock was increased to \$2,500,000.

By several acts of the legislature the city of Rochester, was authorized to issue its bonds to the amount of \$600,000, and exchange them for first mortgage bonds to the railroad company. The last instalment of these was issued in 1874.

By chapter 66 of the laws of 1876 the city was authorized to sell and dispose of the bonds and apply the proceeds in payment of the bonds issued by the city.

On the 30th of August, 1876, Henry A. Taylor entered into a contract with the railroad company for the completion and equipment of the road and the payment of certain claims against it. The engineer's estimate shows the cost of the work to be done was \$874,278.80. This estimate, of course, cannot be relied upon as entirely accurate of the actual cost.

In consideration of the covenants and agreements on the part of Taylor, the railway agreed that it would pay and deliver to him 24,860 shares of the capital stock of the company, and also 565 of its first mortgage bonds of \$1,000, with their coupons; such stock and bonds to be delivered to Taylor, for his own use, once in each month, or oftener, upon estimates to be made by the chief engineer of the railway company.

On the 8th of September, 1876, the city of Rochester entered into an agreement with Taylor to sell to him \$600,000 of the railroad bonds, and take in payment the same amount of paid-up stock of the railroad company.

On the 30th December, 1878, a contract was made between Taylor as party of the first part, Isaac S. Waterman, party of the second part, and the city of Rochester and State Line railway company, of the third part. This contract recites that Taylor has not wholly fulfilled his contract of August 30th, 1876. It also contains a provision, among other agreements therein contained, that the company would issue the stock to which the city of Rochester and the bonded towns are respectively entitled to receive from said Taylor, immediately.

The capital of a corporation is its property. Property and capital are convertible terms. The certificates of stock only represent capital. They have been likened by the courts to warehousemen's receipts, which entitle the holder to a certain amount of property.

If the capital authorized is all subscribed for and paid in, then each certificate of stock represents a

FINANCE BUDGET.

ROCHESTER, N. Y., Aug. 12, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable, CONTINGENT FUND.

MONTHLY PAY ROLL FOR JULY, 1879.

Cornelius E. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	288 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angvine, City Clerk.....	187 50
David McKay, City Assessor.....	150 00
August M. Koeth,	150 00
Wm. Mahar,	150 00
Geo. W. Sill, Judge Municipal Court.....	130 00
J. W. Duell,	150 00
M. H. McMath, Clerk	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building..	87 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. B. Farsay, Draughtsman	60 00
W. J. Stewart, Chairman	40 00
Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office....	58 34
E. W. Williams,	Treasurer's Office 116 66
James H. Wilson, services in	62 56
Warham Whitney,	54 17
A. G. Swewell, disbursements.....	85 50
Union and Advertiser, blanks for Treasurer	89 50
S. A. Lattimore, analysis of water.....	100 00
J. Margrand, screens for Treasurer's office....	17 50
J. C. Moore, blanks	68 90
Evening Express, printing.....	80 50
..... printing manual.....	80 50
Union and Advertiser, printing for M. G.....	7 50
Rochester Star, pub. notices for month July....	25 00
Drew, Allis & Co., directories and printing.....	130 00
Rochester Printing Co., error in bill.....	100 00
And charge that fund.	

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO AUGUST 1, 1879.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Bowen,	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. July.....	41 67
Porter W. Taylor,	41 67
Edward E. Bausch,	41 67
Paris G. Clark,	41 67

MISCELLANEOUS.

Express Printing Co., printing for Excise Com\$	\$21 65
Foehner & Maier, burials.....	103 00
P. Fahy, meat.....	100 00
Louis P. Beck, shoes.....	17 75
Fred. Wurtz, meat.....	50 00
Geo. Basan, bread.....	32 65
Wm. Moran, repairing shoes.....	15 95
Smith, Perkins & Co., groceries.....	53 13
A. Hefner, bread.....	22 60
Johanna Yawman, bread.....	42 40
Joseph Schutte, Overseer's disbursements	74 25
H. Langnecht, meat.....	100 00
Burke, FitzSimons, meat, Hone & Co., dry goods...	29 00
Frank Rees, meat.....	25 00
M. Yawman, bread.....	51 60
Geo. Oppel, bread.....	56 92
O'Kane Bros., meat.....	43 00
H. Hedditch, meat.....	100 00
Louis W. Brandt, printing for Excise Com...	32 40
Ehrhart & Co., meat.....	75 00
St. Patrick's Orphan Asylum, board inmates...	741 94
St. Mary's Orphan Asylum, board inmates.....	985 60
Smith, Perkins & Co., groceries.....	82 75
Geo. D. Waters & Co., groceries.....	9 00
A. H. Martin, groceries.....	16 25
A. S. Morris, meat.....	75 00
B. O'Rear, burials.....	85 00
D. E. Fechtner, bread.....	48 76
Patrick Eagan, groceries.....	13 00
A. H. Cork, groceries.....	34 75
Fleckenstein Bro., bread.....	214 98
Aling & Cory, wrapping paper.....	16 68
M. Heavey, transportation.....	20 00
L. A. Wheeler, meat.....	100 00
And charge that fund.	

CITY PROPERTY FUND.

J. R. Brady, painting Front street building...	\$83 20
------------------------------------------------	---------

like amount of property to which the holder would be entitled; but if the capital has not been subscribed or paid in, then the certificates of stock would be worthless; they would be like a warehouse receipt for grain therein when the warehouse was entirely empty.

At the time of the contract with Taylor the railroad company had no actual capital except the sum of \$87,000 subscribed.

The bonds were not capital, but indebtedness.

When the company agreed to transfer to Taylor the \$2,486,000 of stock it could not be actual capital or property, but only stock which was neither subscribed for or paid in; it was only subscribed for by the contract and was to be paid for by the performance of the provisions therein, to which reference has been made.

What value did Taylor pay for the stock? What actual consideration did the company receive? Certainly nothing more than the fair value of the work done, and the property delivered.

If the contract of Taylor could be fulfilled for the sum of \$900,000, that would be the value of the consideration received by the railroad company and would constitute so much of its capital.

The capital stock might be fairly considered as paid up to that amount and no more.

Taylor pays say \$900,000 for over \$3,000,000 of stock and bonds and about \$300,000 for \$2,486,000 of stock. Could the directors make oath that this capital stock of \$2,500,000 was fully paid? If so the company is solvent. If the directors should so swear would they not commit perjury? If they so represented would they not be guilty of fraud?

The subscribers for stock are liable to pay the full nominal amount, and the capital paid in by them would be absorbed by Taylor, who had only paid a fractional sum.

The issue of certificates of stock without an actual payment of the capital represented by it, would be the same in legal effect as the increase of the number of shares and the dispensation of them without payment.

Upon this subject the courts have held that such an increase is illegal; that the original stock subscribed and paid for belongs to the subscribers the same as any other property, and any attempt to create a greater number of shares without payment is not only a violation of the organic law of the corporation, but a direct violation of the contract between it and each holder of the original stock.

Every individual who subscribes and pays for shares of stock must be deemed to have done so, relying on the charter for the safety of his investment.

Section 14, chapter 611, of the act of 1875, for the formation of business corporations, is nothing more than a codification of the principals of the common law and substantially applicable to all corporations. The section is as follows: "No corporation organized under this act shall issue either stock or bonds, except for money, labor done or property actually received for use, and the legitimate purposes of such corporation at its fair value; and all fictitious increase of stock or indebtedness in any form shall be void."

We feel constrained to apply these rules to the case under consideration, and on no principle can the stock be considered as fully paid in. To so hold would be to justify what might result in a gross fraud upon the other stockholders and upon the public.

If we are right in the above conclusion, then the holder of stock, which may be issued to Taylor, would be liable for the debts of the company to an amount equal to the sum unpaid on the stock.

J. L. ANGLE,
J. C. COCHRANE

Dated August 11, 1879.

Ordered received, filed and published.

Ald. Hebing presented sundry documents in relation to the State Line Railroad.

Ordered received and filed.

Mr. McNaughton was heard.

Wm. Connors, labor, &c.....	17 00
M. & E. Huntington, sundries.....	3 25
S. A. Millington, lettering door.....	3 00
Yeyhl & Bartholomay, repairing furniture.....	10 50
J. R. Brady, painting in Ex. Board office.....	31 20
J. Tallman, soap.....	4 00
Watters & Doyle, coal.....	649 38
Roch. Gas Co., gas City Hall and Front street building.....	85 80
F. J. Irwin, monthly cleaning.....	82 20
And charge that fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO AUGUST 1ST, 1879.

Sam'l Donnelly, Supt. Board Health, salary.....	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
Henry M. Heindol, Keeper of Hope Hospital.....	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
James Cooper, Insp'r.....	50 00
Heman Miller, Insp'r.....	50 00
Orrin Harris, Insp'r.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Aug. 1, 1879, E. S.....	125 00
Bradley & Co., garbage contractor to Aug. 1, 1879, W. S.....	150 00
And charge that fund.	

PARK DEPARTMENT FUND.

Louis Ernst, hardware.....	\$1 75
C. H. Yost, services.....	5 00
Joseph Whitehair, hackhire.....	2 00
And charge that fund.	

LAMP DEPARTMENT FUND.

Rochester Gas Co., setting lamp posts, &c.....	\$26 75
Goodale & Stiles, burners.....	17 76
M. & E. Huntington, paint for lamps.....	14 50
And charge that fund.	

POLICE DEPARTMENT FUND.

Alex. McLean, expenses for June, 1879.....	\$108 88
And charge that fund.	

POLICE PAY ROLL FOR JULY, 1879

Alex. M'Lean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00
W. J. Rogers.....	75 00
Thos. Lynch.....	75 00
Peter Lauer, Jr.....	75 00
P. C. Kavanaugh.....	75 00
Ferry Marzluff.....	75 00
Thos. A. Burchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker.....	75 00
Jos. P. Cleary.....	75 00
Frank B. Allen.....	60 76
W. R. M'Arthur, 28 days.....	60 00
John J. Garrett.....	65 00
Jacob Frank.....	65 00
John C. Haydon.....	65 00
John Wangman.....	65 00
Hugh Johnston, 23 days.....	49 81
John H. Dana.....	65 00
Ed. Van Vorst.....	65 00
Hugh Clark.....	65 00
John C. M'Quatters.....	65 00
Wm. H. White.....	65 00
Thos. F. Hurley.....	65 00
Patrick H. Sullivan.....	102 00
Chas. M'Cormick.....	75 00
Jos. S. Roworth.....	75 00
Wm. F. Lush, 25 days.....	54 25
Barth. Crowley.....	65 00
Robt. Burns, 19 days.....	41 23
Ralph Bendon.....	65 00
Jacob Harter.....	65 00
Thos. Crouch.....	65 00
Andrew Connolly.....	65 00
Wm. P. O'Neil, 26 days.....	56 42
Benj. C. Further.....	65 00
Wm. H. Keith.....	65 00
John H. Wordell.....	65 00
B. Horcheier.....	65 00
John Mitchell, 29 days.....	62 95
Robt. M'Kee, 28 days.....	60 76
Chas. E. Fowler.....	65 00
Michael Brady.....	65 00
Wm. M. Keivv.....	65 00
Joseph Legler, 28 days.....	60 76
Wm. H. DeWitt.....	65 00
Nicholas J. Loos, 27 days.....	58 59
Fred. Griebel, 29 days.....	62 93
Robert Sloan, 29 days.....	62 93
Peter Bohrer.....	65 00

Samuel Schwartz.....	95 00
Jas. A. Johnson.....	65 00
Thos. Dukelow.....	65 00
Patk. Hctor.....	65 00
George Smutn, 29 days.....	62 93
Lewis Jesserer.....	65 00
Frank Value.....	65 00
Michael Cain, 24 days.....	52 08
Wm. H. Burgess.....	65 00
Michael Hynes.....	65 00
Chas. Hart.....	65 00
Frank D. Fay.....	65 00
Geo. Hoffner.....	65 00
James P. Flynn.....	65 00
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove.....	65 00
Michael Wolf, Jr.....	65 00
John M. Reis.....	65 00
Charles W. Peart.....	65 00
Wm. Laragy.....	65 00
Louis Noldt.....	65 00
Jerry Twaig.....	65 00
Ed. McDonough.....	65 00
Older Oliver.....	65 00
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	65 00
Daniel Goulding, Jr.....	65 00
Patrick Holloran, 29 days.....	62 93
Henry Graven.....	65 00
Chas. Steffer, 11 days.....	23 87
Mich. Hyland.....	65 00
Jacob Markey.....	90 00
B. Frank Enos, Clerk of Commissioners.....	116 67

Examined and approved.
 C. R. PARSONS,
 FRED'K ZIMMER,
 JACOB HOWE, JR.,
 Commissioners.

Adopted by the following vote
 Ayes—Ald. Fitz Simons, Westbury, Otis, Warren,
 Hebing, Crouch, Chambers, Chace, Mandeville, Vay,
 Wickens, Edelman, Weaver, Knobles, Hart—15.
 By Ald. Crouch—

To the Common Council:

GENTLEMEN:—Your committee, in compliance with the resolution adopted by the Council, caused advertisements to be inserted inviting proposals for the supply of certain articles to be furnished the Poor Department.

We caused the bids to be canvassed, and recommend that the following resolution be adopted, the award in each case having been made to the lowest bidder:

Resolved, That His Honor the Mayor be requested to enter into contract for the space of seven months with John Hart for the necessary shoes of the following goods and prices: No. 2 men's A calf strap brogan, 85 cents; woman's pebble grain peg, bal., 82½ cents; woman's A calf peg bal., 85 cents; woman's pebble grain sewed bal., \$1.00; misses' A calf peg bal., 77½ cents; misses' pebble grain peg bal., 67½ cents; child's A calf peg bal., tipped, 55 cents.

With Louis Boss, for the necessary bread, at 3¼ cents per loaf of one and a quarter pound weight, to be weighed in bulk. Crackers 4¼ cents per pound.

With Daniel Loebs, for fifty barrels No. 2 amber flour at \$5.00 per bbl.

With W. & J. M. Aikenhead, for one hundred boxes of cake soap at \$3.25 per box, with privilege of returning boxes at 10 cents each.

C. T. CROUCH,
 WILLIAM H. TRACY,
 J. J. HART,
 D. G. WEAVER,
 J. W. KNOBLES,
 } Com.

Adopted.
 By Ald. Warren—

To the Common Council:

Your Assessment Committee to whom was referred sundry claims would report, that after a careful examination of the legal and equi-

table questions they have concluded to offer the following and recommend their adoption:

Resolved, That the Treasurer receive of John Quin the face of the assessment against property owned by him, corner of North and Delevan streets, with simple interest for one year and the balance of the time without interest except for general city taxes, and for those, simple interest to be charged for the whole time.

Resolved, That the Treasurer receive of Josephine Goodwin the amount of the assessment (for 1876) against her property, Lake avenue, with simple interest.

Your committee have voluntarily examined the claims of J. F. Bonesteel, on which the Assessment Committee of last year reported adversely, and we find no excuse for us to reverse the judgment of that committee and therefore report adversely to the prayer of the petition.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted.

By Ald. Vay—Resolved, That Walter S. Crowell, John Redhead, Adelia A. Jennings, H. Predmore, Wm. Roades, C. M. Everest and Chas. Goetz have permission to erect wood buildings in accordance with their several petitions under the direction of the Wood Building Committee and Fire Marshal. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

EXECUTIVE BOARD OF CITY OF ROCHESTER, }
ROCHESTER, Aug. 1, 1879. }

To the Common Council.

I have the honor to transmit herewith Statement of expenditures by the Executive Board during the month of July, 1879:

Certified copies of finance budgets, showing the amounts of all bills, pay-rolls and estimates passed by the Executive Board in the month of July.

Copies in detail of pay-rolls for labor in the Street Department passed and paid by the Executive Board during the month of July.

Statement of the condition of the several funds in charge of the Executive Board on the 31st day of July, 1879.

All of which please receive as official.

Respectfully, your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of the Executive Board.

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD DURING THE MONTH OF JULY, 1879.

Funds Charged.	Amounts
Highway	Fund.....\$3,342 06
Sidewalk Repair	11 14
Salary and Expense	647 00
Hudson St. Improvement	1,536 00
East Main Street	1 50
East Avenue	Sprinkling, 3 sections 175 00
East and West Main St	150 00
State and Exchange sts	30 00
Meigs street	30 00
Park avenue	20 00
Lake avenue	16 80
Union street	20 00
Andrews street	20 00
North avenue	16 00
Favor street Pipe Sewer	Fund..... 389 75
Helena street	450 00
East Main street Flag Walk	1,124 47
Allen Street Bridge Approaches	41 26
Lincoln street Walk	620 57
Ringelstein alley Sewer	1 50

\$9 263.50

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

STATEMENT showing the condition of the several funds in charge of the Executive Board on the 31st day of July, 1879.

Debit Balances:	
City Treasurer	.....\$88,044 02
Sidewalk Repair Fund	1,738 39
Sundry Street Sprinkling Funds	622 80
Hudson Street Improvement	1,536 00
E. Main Street Improvement	1 50
Favor Street Pipe Sewer	639 50
Helena Street Pipe Sewer	580 15
Allen Street Bridge Approaches Fund	727 40
Allen Street Improvement Fund	2,205 67
Tracy Park Opening Fund	96 50
Ringelstein Alley Sewer Fund	1 50
	46,466 33
Cr. Balances :	
Highway Fund	40,106 82
Macadam Stone Fund	1,333 31
Salary and Expense Fund	5,025 70
	\$46,466 33

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.
Ordered received, filed and published.

STATEMENT

Showing all payments of money by the Executive Board in the month of July, 1879.

FINANCE BUDGET—JULY 5, 1879.

Street Department.

Weekly pay roll	.....\$ 666 96
H. A. Kingsley & Co., hardware	4 95
J. W. McKinley & Son,	7 10
Littlefield & Seifried,	7 00
Henry Hebing,	17 88
Robbins, Willis & Co., wood	4 50
A. G. Yates, coal	50 31
Cornell & Dengler, repairs	610 49
Geo. B. Harris, services	15 24
S. M. Stewart, rep. wagon	11 38
M. Galliger, work in 1877	50
Julius T. Andrews, refund	4 50
J. Routier use of horse	75
Water Works and Fire Board, stabling	36 00
McConnell & Pringle, act. sweeper	50 00
Water Works and Fire Board, horse and wagon	85 00
G. W. Hildreth & Co., plow	22 50
E. C. Campbell, gravel and sand	24 30
E. Lockley, repairs	3 90
	\$1,623 36

And charge Highway Fund.

Local Improvement Department.

r. P. Kavanagh, Clerk, pay roll	32 00
J. W. McKinley & Son, nails	2 25
And charge Sidewalk Repairs	\$ 34 25
S. D. Pierce, Sprinkling East and West Main street	1 50 00
And charge that fund	
S. D. Pierce, Sprinkling State and Exchange streets	50 00
And charge that fund	
J. M. Hinolt, Sprinkling Meigs street payable to J. Adamson	30 00
And charge that fund	
J. Adamson, sprinkling Park Avenue	20 00
And charge that fund	

Salary and Expense Department.

Union and Advertiser Co., printing	\$ 23 50
C. E. Morris & Co., stationery	6 50
	30 00

And charge Salary and Expense Fund.

Estimate.

P. J. McMenomy & Co., Favor street sewer	75 00
------------------------------------------	-------

FINANCE BUDGET—JULY 11, 1879.

Street Department.

Weekly pay roll	579 89
George B. Harris, disbursements	7 73
Jacob Steinhauser, repairing picks	15 21
George B. Harris, services	15 34
M. Galliger, lever for S. bridge	2 00
J. Emory Jones, labor and material	83 98
	705 15
And charge Highway Fund	
Local Improvement Department.	
F. P. Kavanagh, Clerk, pay roll	23 75
And charge Sidewalk Repair Fund	
J. Emory Jones, work for Allen street bridge	4 67
And charge Allen Street Bridge Approaches	4 67

Estimates.

Whitmore, Rauber & Vicinus, E. Main

st. flag walk-final..... 1,124 47
 E. J. O'Neil & Co., Helena st. pipe sewer 450 00
 FINANCE BUDGET-JULY 18, 1879.
Street Department.
 Weekly pay roll..... \$ 693 65
 Geo. B. Harris, services..... 15 34
 C. Schwalbach, sand and gravel..... 14 15
 G. Gould & Son, wading boots 4 00
 J. R. Chamberlain, agt., hose..... 25 65
 S. A. Millington, lettering doors, &c..... 5 75
 F. Howe, repairing wagon and tools..... 4 95
 Ludlow V. Mfg. Co., valves..... 56 87
 Plumbago Oil Co., oil and can..... 4 00
 _____ \$ 824 11

And charge Highway Fund.
Salary and Expense Department.
 Union and Advertiser Co., printing and binding proceedings 113 25
 And charge Salary and Expense Fund.

Local Improvement Department.
 F. P. Kavanagh, clerk, pay roll..... 24 00
 James Kelly, erroneous assessment... 2 89
 _____ \$ 26 89

And charge Sidewalk Repair Fund.
 Edward Weller, sprinkling East Av.... 85 00
 And charge that fund, Sec. 3.
 J. E. Barnes, rep. Lake av. sprinkler.. 16 80
 And charge that fund.
 John Quin, inspecting Hudson st. impvt.. 24 00
 And charge that fund.

Estimates.
 P. J. McMenomy & Co., Favor st sewer 100 00
 W. M. Webb, Lincoln st walk, final... 620 57
 _____ 720 57
 FINANCE BUDGET-JULY 25, 1879.

Street Department.
 Weekly pay-roll, labor..... \$568 01
 H. Whitley, operating lift bridge... 40 00
 F. Bauer..... 40 00
 Jacobs & Hughes, rattan for sweepers 22 44
 Geo. B. Harris, services..... 15 34
 George Ball, joiner work..... 2 00
 Robbins, Willis & Co., lumber for sweeper..... 1 65
 _____ 689 44

And charge Highway Fund.
Salary and Expense Department.
 Ezra Jones, salary for July..... \$166 66
 F. C. Lauer, Jr., salary for July..... 166 67
 F. P. Kavanagh, salary for July..... 166 67
 Clague, Coplin & Wegman, bill heads.. 3 75
 _____ 508 75

And charge Salary and Expense Fund,
Local Improvement Department.
 F. P. Kavanagh, clerk, weekly pay-roll..... 26 25
 And charge Sidewalk Repair Fund.
 Street Department, digging test-pits..... 1 50
 And charge E. Main Street Repair Fund.
 Street Department, digging test-pits..... 1 50
 And charge Ringelstein Alley Sewer Fund.
 Leighton Bridge and Iron Works Co. (limited), iron work..... \$19 50
 M. Gallger, oak posts..... 10 50
 F. Tully, pump and plumbing..... 6 59
 _____ 36 59

And charge Allen Street Bridge Approaches Fund.
 A. W. Turnbull, sprinkling East avenue, section 1..... 60 00
 And charge that Fund.
 A. W. Turnbull, sprinkling East avenue, section 2..... 30 00
 And charge that Fund.
 McConnell & Pringle, sprinkling Union street and charge that Fund..... 20 00
 McConnell & Pringle, sprinkling Andrews street..... 20 00
 And charge that Fund.
 McConnell & Pringle, sprinkling North avenue..... 16 00
 And charge that Fund.
 John Quin, inspecting Hudson street improvement..... 12 00
 And charge that Fund.
 Street Department, digging test pits... 2 00
 Benjamin F. Butler, inspecting work... 12 75
 _____ 14 75

And charge Favor Stret Pipe Sewer Fund.
Estimates.
 F. C. Lauer, Hudson street improvement-time order, one year..... 500 00
 two years..... 500 00
 Cash order..... 500 00

P. J. McMenomy & Co., Favor street sewer..... 1,500 00

CITY OF ROCHESTER, EXECUTIVE BOARD, ROCHESTER, July 31, 1879.
 I do hereby certify that the foregoing is a correct statement of all monies expended by the Executive Board for all purposes during the month of July, 1879.
FRANCIS P. KAVANAGH,
 Clerk of Executive Board.

STREET DEPARTMENT PAY ROLL-EXECUTIVE BOARD OF THE CITY OF ROCHESTER.
 FOR THE WEEK ENDING THURSDAY, JULY 3, 1879.

Kind of service.	Time.	Days.	Price.	Amt.
Burbott August, laborer.....	6		\$1 00	\$6 00
Brown, Jacob.....	6			6 00
Boze, Patrick.....	4			4 00
Boyle, Patrick.....	5			5 00
Ball, Patrick.....	3			3 00
Busholic, Chas.....	6			6 00
Beick, Martin.....	5			5 00
Busholic, Henry.....	6			6 00
Breithaupt, Geo.....	6			6 00
Brash, Valentine, carpenter.....	3	1 50		4 50
Caverish, Jos., laborer.....	6			6 00
Connors, Larry.....	2			2 00
Coolihan, John.....	1			1 00
Corlett, Thos.....	1			1 00
Colds, Jas.....	2			1 00
Cox, Jas.....	1			1 00
Carroll, Patrick.....	2			2 00
Cusick, Thos.....	1 1/2			1 50
Cosgrove, Patrick.....	1			1 00
Connors, Chris.....	1			1 00
Corcoran, John.....	1			1 00
Corrigan, Jerry.....	1			1 00
Clancy, Jas.....	1			1 00
Daly, Jas.....	1			1 00
Detrick Andrew.....	2			2 00
Dwyre, John.....	1			1 00
Dolson, John.....	1			1 00
Eisenbauer, Louis.....	2			2 00
Fridel, Joseph, foreman.....	6	2 00		12 00
Farley, James, driver of sweeper.....	3	1 25		7 50
Frankenberger, J., laborer.....	3			3 00
Fisher, Samuel.....	3			3 00
Geib, John.....	6			6 00
Gibe, Jacob.....	5			5 00
Gosnell, John.....	1 1/2			1 50
Hensler, George.....	1			1 00
Hickney, John.....	1			1 00
Harrington, Dan'l.....	2			2 00
Hogan, John.....	5			5 00
Hadagan, Patrick.....	2			2 00
Keller, Andrew.....	5			5 00
Keef, John.....	5			3 00
Keller, Adam.....	5			5 00
Kavanagh, John foreman.....	1	1 25		1 25
Knorr, John laborer.....	5	1 00		5 00
Lawrence, Wm.....	4			4 00
Lane, Patric eng. street roller.....	6	2 25	18 50	
Leverence, John paver.....	7	1 25	8 75	
Lavis, John laborer.....	1	1 00		1 00
McMenomy, Ed mason.....	4	1 50	6 00	
McIntyre, Wm paver.....	5	1 25	6 25	
McMahon, John laborer.....	2	1 00	2 00	
McGuire, Jas.....	2			2 00
McVay, Patrick.....	2			2 00
McNarney, John.....	5			5 00
McCusker, Michael.....	2			2 00
McCormick, John.....	1			1 00
McQueen, Michael.....	4			4 00
Maley, Patrick.....	4			4 00
O'Brien, Terry.....	6			6 00
Ott, Conrad laborer.....	3	1 00		3 00
Oster, Jacob.....	5			5 00
Pyne, John.....	3			3 00
Paisio, John.....	2			2 00
Pierce, John.....	2			2 00
Quinn, M.....	3			3 00
Quinn, Hugh paver (\$1 00 short).....	6	1 50	10 00	
Roth, Stephen.....	5	1 00		5 00
Raski, Rudolph.....	3			3 00
Rider, Nicholas.....	5			5 00
Root, Jason.....	2			2 00
Siefert, Chas. foreman.....	6	2 00	12 00	
Sullivan, Jerry laborer.....	4	1 00	4 00	
Sullivan, Wm.....	3			3 00
Stenchel, Chas.....	6			6 00
Sullivan, John.....	2			2 00
Sullivan, Michael.....	1			1 00
Shannon, Jerry.....	1			1 00
Sheehan, Dennis fireman street roller.....	6	1 50	9 00	
Schroth, John laborer.....	3	1 00	3 00	
Schultz, Martin.....	1			1 00
Schuttler, Jacob.....	1			1 00

Tupps, Fredrick	1	1 00
Wining, John	4	4 00
Wonder, Jacob	1	1 00
Williams, Samuel paver	6	1 50
Wolf, Valentine laborer	1	1 00
Craft, William toolman	6	9 00
Steinhaus, W. J. clerk street dept	6	11 54
Dowling, F. J. Supt. of streets	6	26 92
Ames, Edw. teamster	6	18 00
Clancy, John	3	3 00
Bayer, Peter	6	4 50
Bauer, Chas. F.	6	18 00
Barry, John	1	3 00
Comans, George	4	12 00
Christie, George	3	4 25
Eisenhauer, John	4	12 00
Epperly, Joseph	4	14 25
Fisher, Benjamin	2	8 25
Cram, H. H.	2	6 00
Curtin, John	3	9 00
Harraty, Peter	4	12 00
Kennedy, John	3	9 00
Kelly, Dennis	3	9 00
Nickoles, George	3	9 00
Oliver, Peter	4	12 00
Ryan, Michael	1	3 00
Roche, John	2	6 00
Rossney, Patrick	4	12 00
Moler, Michael	4	12 00
Slatery, John	2	1 50
Smith, John	4	12 00
Kennedy, Martin	3	9 00
Ward, Frank	5	15 00
Armstrong, John	6	18 00
Logan, James	2	6 00
Nolan, Peter	3	9 00
Error in footing		9 00

Quinn, Mathew	2	2 00
Quinn, Hugh paver	4	1 50
Raski, Rudolph laborer	1	1 00
Rider, Nicholas	1	1 00
Root, Jason	4	4 75
Rohan, Patrick	5	5 00
Seifert, Chas foreman	2	2 00
Sullivan, Jerry laborer	6	2 00
Stenschel, Chas	5	1 00
Sullivan, Wm	2	2 00
Steckel, John	3	3 00
Sullivan, John	1	1 00
Sullivan, Mike	2	2 00
Schroth, John	6	6 75
Schultz, Martin	1	1 00
Schutler, Jacob	1	1 00
Tupps, Frederick	2	2 00
Taft, James	2	2 00
Wining, John	2	4 75
Wonder, Jacob	4	2 00
Williams Samuel, paver	2	7 50
Craft Wm, toolman	5	9 00
Steinhaus, W. J. Clerk St Dept	5	11 54
Dowling P. J. Supt of Streets	5	26 92
Ames, Edw., teamster	4	14 25
Bayer, Peter	4	18 00
Bauer, Chas F	6	15 00
Barry, John	6	12 25
Comans, George	4	12 00
Cristie, George	1	3 00
Eisenhauer, John	4	13 50
Epperly, Joseph	3	10 50
Fisher, Benjamin	1	15 00
Cram, H. H.	5	3 00
Curtin, John	1	3 00
Hollis, Wm	2	6 00
Harraty, Peter	4	14 25
Kennedy, John	2	6 00
Kelly, Dennis	2	6 00
Nicholas, George	2	9 00
Oliver, Peter	3	6 00
Roche, John	3	2 25
Rossney, Patrick	3	9 00
Slatery, John	3	9 00
Smith, John	3	11 25
Staup, John	6	18 00
Ward, Frank	6	18 00
Armstrong, John	4	14 25
May, Martin	2	6 00

Total, \$666 96

WEEK ENDING JULY 10, 1879.

Burbott, August laborer	5	1 00	5 00
Gibe, John	4		4 00
Boze, Patrick	3		3 75
Boylan, Patrick	2		2 00
Boyle, Patrick	2		2 00
Ball, Patrick	3		3 00
Burke, Dennis	2		2 00
Busholic, Charles	5		5 00
Beck, Martin	4		4 00
Busholic, Henry	5		5 00
Brethaupt, Geo	5		5 00
Brash, valentine, carpenter	1	1 50	2 25
Ball, George, driver of sweeper	7		10 50
Caverish, Joseph laborer	4	1 00	4 75
Creagan, Hugh	1		1 00
Connor, Larry	1		1 00
Colds, James	1		1 00
Carroll, Patrick	2		2 75
Cusick, Thos	1		1 00
Corcoran, John	2		2 75
Corbit, Wm	2		2 75
Daly, James	4		4 75
Dolan, Martin	4		4 75
Fridel, Joseph foreman	1	2 00	1 75
Farley, James driver of sweeper	6		12 00
Frankenberger, J laborer	6	1 00	7 50
Brown, Jacob	5		2 75
Gibe, Jacob	5		5 00
Gilbert, William	4		4 75
Hickey, John	1		1 75
Harrington, Daniel	1		1 00
Hogan, John	1		1 75
Hadagan, Patrick	1		1 00
Hart, Michael	2		2 00
Keller, Andrew	4		4 75
Kilpeck, Martin	3		3 75
Keef, John	3		3 00
Keller, Adam	3		3 00
Kavanagh, John, foreman	4	1 25	4 75
Lawrence, William, laborer	4	1 00	5 25
Leverance, John, paver	4	1 25	5 00
Leonard, Thomas, laborer	3	1 00	7 5
McMenamy, Ed., mason	4	1 50	7 12
McIntyre, Wm., paver	4	1 25	5 00
McMahon, Ed.	3	1 00	3 00
McCarthy, Wm.	2		2 00
McMahon, John	2		2 00
McQuire, James	2		2 00
McFarney, John	3		7 5
McDermott, Pat'k	4		4 75
Mulqueen, Mike	1		1 00
Maley, Patrick	4		4 25
Metzgar, Michael	3		4 75
O'Brien, Terry	3		2 00
O'Brien, W S laborer	4		4 75
Ott, Conrad	1		1 00
Oster, Jacob	4		4 00
Ovenberg, Roman	4		4 50
Pyne, John	1		7 5
Pierce, John	1		1 75
Pierce, Wm	2		2 00
Pierce, Wm	3		3 00

Total WEEK ENDING JULY 17, 1879. \$579 89

Ames, Edward laborer	1	1 25	1 00
Burbott, August	6		6 00
Brown, Jacob	6		6 00
Boze, Patrick	3		3 75
Boyle, Patrick	1		1 00
Ball, Patrick	2		2 00
Busholic, Henry	5		5 00
Busholic, Chas	5		5 00
Breuhaupt, George	6		6 00
Brash, Valentine carpt'r	6	1 50	5 00
Ball, George driv. sweep	7	1 50	11 25
Boylan, Hugh laborer	1	1 00	1 00
Boylan, Patrick	3		3 50
Caverish, Joseph	2		2 25
Creagan, Hugh	1		1 75
Connors, Larry	2		2 00
Coolihan, John	4		4 00
Colds, James	2		2 00
Corcoran, John	3		3 00
Corrigan, Jerry	1		1 00
Corbit, William	5		5 00
Connell, Timothy	1		1 00
Donovan, David	1		1 00
Daly, James	5		5 00
Dolan, Martin	5		5 00
Dorrman, Henry	2		2 00
Dwyre, John	2		2 00
Fridel, Joseph, foreman	6	2 00	12 00
Feeny, Michael laborer	2	1 00	2 00
Farley James, driver of sweeper	6	1 25	7 50
Frankenberger J laborer	6	1 00	3 75
Frisholtz, Thos	2		2 75
Gibe John	6		6 00
Gibe Jacob	6		6 00
Gosnell James	1		1 75
Gilbert William	4		4 75
Harraty Joseph	1		1 00
Heinsler Anthony	1		1 25
Hickey John	1		1 00
Harrington Danl	2		2 00
Hogan John	1		1 75
Keller Andrew	5		5 75
Kilpeck Martin	6		6 00
Keef John	3		3 75
Keller Adam	5		5 00
Kelley Michael	3		7 5
Kanole Thos	1		1 75
Kavanagh John, foreman	5	2 00	7 19

Lawrence Wm, laborer.....	2	1 00	2 00	Corbit, Wm	4 1/2	..	4 50
Leverence John, paver.....	5 1/2	..	5 50	Daily, James .. .	5 1/2	..	5 75
Levin John, laborer.....	2	..	2 00	Dolan, Martin .. .	1 1/2	..	1 50
Leonard Thos, .. .	2	3/4	3 00	Dornay, Henry .. .	1	..	1 00
McCommy Ed, mason.....	2	2 50	3 00	Fridel, Joseph, foreman .. .	6	2 00	12 00
McIntyre Wm, paver.....	5	1 25	6 25	Feeoney, Michael laborer .. .	1	1 00	1 00
McMahon Ed, laborer.....	1 1/2	1 00	1 50	Farley, James driver of sweeper.....	4 1/2	1 25	5 62
McMahon John, laborer.....	3	1 00	3 00	Frankenberger, J laborer.....	5 1/2	1 00	5 50
McGuire Jas, laborer.....	3	1 00	3 00	Gibe, John .. .	5 1/2	..	5 75
McVay Ptk, laborer.....	2	2 00	2 00	Gibe, Jacob .. .	5 1/2	..	5 75
McNerny John, laborer.....	3 1/2	1 00	4 25	Gilbert, James .. .	1	..	1 00
McNiska Michael, laborer.....	3	1 00	3 00	Gilbert, Wm .. .	1	..	1 00
McCormick John, laborer.....	2	1 00	2 00	Harraty Joseph .. .	4	..	4 00
Mulqueen Michael, laborer.....	4	1 0	4 00	Hickey, John .. .	1 1/4	..	1 75
Malay Patrick, laborer.....	2 3/4	1 00	2 75	Harrington, Dan'l .. .	1	..	1 00
Metzgar Michael.....	3	1 00	3 00	Hogan, John .. .	2	..	2 00
Moore James H, crosswalk inspector.....	2	1 50	3 00	Keller, Andrew .. .	5 1/2	..	3 50
Nolan Andrew, laborer.....	2	1 00	2 00	Kilpeck, Martin .. .	8	..	5 60
O'Brien Terry, laborer.....	2	1 00	2 00	Keef, John .. .	2	..	2 00
Ott Conrad, laborer.....	6	1 00	6 00	Keller, Adam .. .	4	..	4 00
Oster Jacob, laborer.....	5	1 00	5 00	Kelley, Michael, .. .	1	..	1 00
Ovenberg Roman, laborer.....	3/4	1 09	1 75	Karwaick, John .. .	2	..	2 0
Pyne John, laborer.....	1	1 00	1 00	Kavanagh, John foreman.....	4	1 25	5 00
Pierce John, laborer.....	3	1 00	3 00	Leverance, John paver .. .	3/2	..	6 57
Quinn Mathew, laborer.....	3	3/4	3 25	McCommy Ed mason .. .	3/2	1 50	6 25
Quinn Hugh, paver.....	5	1 50	7 50	McIntyre Wm paver .. .	5 1/2	1 25	6 66
Raski Rudolph, laborer.....	3	1 00	3 00	McMahon, John laborer.....	1	1 00	1 00
Rider Nicholas, laborer.....	5 1/2	1 00	5 75	McGuire, James .. .	1	..	1 00
Root Jason, laborer.....	5	1 00	5 00	McVay, Patrick .. .	2	..	2 00
Rohan Patrick, labore.....	4	1 00	5 00	McNarney John .. .	4	..	4 00
Siefert Chas, foreman.....	6	2 00	12 00	McCourt, Jerry .. .	4	..	4 00
Sullivan Jerry, laborer.....	6	1 00	6 00	McDonald, John .. .	3/4	..	1 75
Stenchel Chas, laborer.....	6	1 00	6 00	McMahon, Edward, laborer.....	2	1 00	2 00
Sullivan, William .. .	2	..	2 00	Mulqueen, Michael .. .	3	..	3 00
Steckel, John .. .	4 1/2	..	4 25	Maley, Michael .. .	2	..	2 00
Sullivan, John .. .	2	..	2 00	Metzgar, Michael .. .	1	..	1 00
Sullivan, Michael .. .	1	..	1 00	Moore, Jas. H, crosswalk inspector.....	2 1/2	1 50	7 75
Shannon, John, cutting weeds.....	2	..	2 00	McNally, Thos, laborer.....	2	1 00	1 00
Swanton, James, laborer.....	5	..	5 00	Nolan, Andrew .. .	2	..	2 00
Schroth, John .. .	5 1/2	..	5 75	Ott, Conrad .. .	5 1/2	..	5 75
Schutler, Jacob .. .	1	..	1 00	Oster, Jacob .. .	4	..	4 00
Tupps, Frederick .. .	1	..	1 00	Ovenberg, Roman .. .	1	..	1 00
Taft, James .. .	1	..	1 00	Pyne, John .. .	2	..	2 00
Winning, John .. .	3 1/4	..	3 75	Pierce, John .. .	3 1/4	..	3 75
Williams, Samuel, paver.....	6	1 50	9 00	Quinn, Mathew .. .	4 1/2	..	5 25
Craft, William, toolman.....	11 54	..	11 54	Quinn, Hugh .. .	4 1/2	1 50	6 75
Steinhauser, W. J., clerk Street Dep't.....	26 92	..	26 92	Raski, Rudolph laborer.....	5 1/2	1 00	5 75
Dowling, P. J., Supt of Streets.....	4	3 00	12 00	Rider, Nicholas .. .	5 1/2	..	5 75
Ames, Edwin, teamster .. .	6	..	18 00	Root, Jason .. .	3	..	3 00
Bayer, Peter .. .	5 1/2	..	16 50	Riley, Michael .. .	2	..	2 00
Bauer, C. F. .. .	4	..	12 00	Rider, Peter .. .	2	..	2 00
Barry, John .. .	4	..	12 00	Seifert, Chas, foreman.....	2	2 50	4 00
Comons, Geo. .. .	5	25	5 25	Sullivan, Jerry laborer.....	5 1/2	1 00	5 25
Crisse, George .. .	5	15 00	16 50	Stenchel, Chas.....	5 1/2	..	5 75
Eisenhatter, John .. .	5 1/2	..	16 50	Sullivan, Wm.....	4	..	4 00
Epperly, Joseph .. .	5	15 00	15 00	Steckel, John .. .	2 1/2	..	1 00
Fisher, Benjamin .. .	3 1/2	..	8 25	Sullivan, Michael .. .	3	..	2 75
Cram, H. H. .. .	1	..	3 00	Sheehan, Dennis fireman roller.....	3	1 50	4 50
Curtin, John .. .	2	..	6 00	Swanton, James, laborer.....	4	..	4 00
Hollis, Wm. .. .	17 25	..	17 25	Schroth, John .. .	2	..	2 00
Harraty, John .. .	3	9 00	9 00	Schutler, Jacob .. .	2	..	2 00
Kennedy, John .. .	3	9 00	9 00	Taft, James .. .	1	..	1 00
Kelly, John D .. .	14 24	..	14 24	Wining, John .. .	1 1/2	..	1 50
Nichols, George .. .	3	9 00	9 00	Williams, Samuel, paver.....	4	1 50	6 00
Oliver, Peter .. .	3	9 00	9 00	Wolf, Valentine, laborer.....	3	1 00	3 00
Ryan, Michael .. .	1	..	3 00	Craft, William, toolman.....	11 54	..	11 54
Roche, John .. .	3	9 00	9 00	Steinhauser, W. J., clerk street dep't.....	26 92	..	26 92
Rossney, Patrick .. .	4	12 00	12 00	Dowling, P. J., Supt. of streets.....	5 1/2	8 00	16 50
Miller, Michael .. .	2	6 00	6 00	Bayer, Peter, teamster.....	4 1/2	..	13 50
Slatery, John .. .	4	12 00	12 00	Bauer, S. F. .. .	3 1/2	..	8 25
Smith, John .. .	4	12 00	12 00	Barry, John .. .	3 1/4	..	8 25
Stuppe, John .. .	6	18 00	18 00	Cummings, Geo .. .	3 3/4	..	11 25
Ward, Frank .. .	6	18 00	18 00	Crisse, George .. .	6	..	9 00
Armstrong, John .. .	9	2 00	18 00	Eisenhatter, John .. .	3	..	9 00
Breakey, James W. sweeping streets .. .	9	2 00	18 00	Epperly, Joseph .. .	3	..	9 00
			Total, \$693 65	Fisher, Benjamin .. .	5	..	15 00
				FOR THE WEEK ENDING JULY 24, 1879.			
Ames Edwin, laborer.....	4 1/2	1 00	4 75	Cram, H. H. .. .	1	..	3 00
Burbott, August .. .	5 1/2	..	5 75	Curtin, John .. .	1	..	6 00
Brown, Jacob .. .	5 1/2	..	5 50	Hollis, Wm. .. .	1	..	3 00
Boze, Patrick .. .	2	..	2 00	Harraty, Peter .. .	4 1/2	..	12 25
Boylan, John .. .	2 1/2	..	2 50	Kennedy, John .. .	2	..	6 00
Boyle, Patrick .. .	2	..	2 00	Kelly, Dennis .. .	1	..	3 00
Ball, Patrick .. .	4	..	4 00	Nichols, George .. .	2	..	6 00
Busholic, Chas .. .	4 1/2	..	4 75	Oliver, Peter .. .	3	..	9 00
Beck, Martin .. .	4	..	4 00	Roche, John .. .	1	..	3 00
Bergan, J. F. .. .	4	..	4 00	Rossney, Patrick, .. .	3 1/2	..	8 25
Busholic, Henry .. .	4	..	4 00	Slatery, John .. .	3	..	9 00
Breithaupt, Geo .. .	5 1/2	..	5 75	Smith, John .. .	2	..	6 00
Brush, Valentine, carpenter.....	6	1 50	7 50	Stuppe, John .. .	4 1/2	..	13 50
Ball, George, driver of sweeper.....	6	1 50	7 50	Ward, Frank .. .	5 1/2	..	17 25
Boylan, Hugh .. .	1 1/2	..	2 00	Armstrong, John .. .	5 1/2	..	17 25
Cavanish, Joseph .. .	1	..	1 00	Breakey, James W, team for sweeper.....	3	2 00	6 00
Connors, Larry .. .	1	..	1 00	Pringle, George, .. .	1 1/4	..	3 25
Coolihan, John .. .	1	..	1 00	Total.....	..	..	\$668 01
Colds, James .. .	1	..	1 00				
Cahill, Daniel .. .	1 1/2	..	1 75	OFFICE OF EXECUTIVE BOARD, } City Hall, Rochester, July 31, 1879. }			
Connors, Chris .. .	1	..	1 00	I certify that the foregoing are correct copies of pay			
Conoran, John .. .	2	..	2 00				

rolls passed and paid by the Executive Board from July 5th to July 25th, inclusive.

FRANCIS P. KAVANAGH,
Clerk of Executive Board.

Ordered received, filed and published.

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
ROCHESTER, N. Y., July 31, 1879.

To the Common Council:

I transmit herewith as required by law :
Statement showing expenditures in the month of July and the condition of the several funds in charge of this Board on the 31st day of July, 1879.

Respectfully, your obt. servant,
V. FLECKENSTEIN, Clerk.

OFFICE OF WATER WORKS AND FIRE BOARD,
OF THE CITY OF ROCHESTER, }
ROCHESTER, N. Y., July 31, 1879.

STATEMENT OF expenditures by the Water Works and Fire Board in July, 1879, and the condition of the funds in charge of the Board at this date :
Charged to Water Works Fund for interest, \$40,000 00
expenses, 2,876 87

.. Water Pipe Fund.....	\$42,876 87
.. Fire Department Fund.....	1,889 72
	3,183 86
Total amount expended.....	\$47,950 45

CONDITION OF FUNDS.

City Treasurer, Dr. Balance.....	\$69,074 28
Water Works Fund, Cr. Balance,	\$ 1,459 22
Water Pipe Fund, ..	30,125 26
Water Works Special Fund, ..	1,515 47
Fire Department Fund, ..	35,856 27
Water Works Land Fund, ..	118 01
	\$69,074 28 \$69,074 28

[Official.] V. FLECKENSTEIN, Clerk.

DETAILED STATEMENT

Of Expenditures by the Water Works and Fire Board during the month of July, 1879.

FINANCE BUDGET—JULY 5.

Water Works Department.

Pay roll, service and repairs.....	\$ 162 75
Pay roll, dist. reservoir.....	92 00
N. Y., L. E. & W. R. R. Co., freight bill	2 31
L. Cassidy, labor pump house.....	3 00
Geo. B. Harris, labor, office.....	9 59
Roch. Printing Co., printing.....	61 50
Expenses at Hemlock Lake.....	33 31
J. W. McKinley & Son, sundries.....	10 11
Woodbury, Morse & Co., ..	3 52
W. J. Wilcox, ..	20 50
A. M. Semple, ..	2 54
H. Hebing, ..	12 85
Sargent & Greenleaf, locks, &c.....	2 25
S. M. Stewart, repairs.....	6 63
A. V. Smith, trunks.....	3 00
J. W. Fiske, fountain.....	55 00
M. Galliger, pump handle, &c.....	80
Smith, Perkins & Co., oil and brooms	2 00
E. Lockley, plow point.....	50
Goodale & Fells, sundries.....	6 45
Warner Westcott, tin work.....	2 75
C. E. Morris & Co., stationery.....	14 60
Littlefield & Seifried, hardware.....	9 50
	\$ 517 96

And charge Water Works Fund.

Behr & Steiner, bill lead.....	\$1,357 53
N. Y., L. E. & W. R. R., freight lead.....	70 06
F. A. Lee, cartage lead.....	8 75
Labor, delivering pipe.....	5 00
	1,441 84

And charge Water Pipe Fund.

Fire Department.

Pay of Thomas Whitley.....	16 66
Executive Board, making drain.....	38 75
Citizens Gas Co., gas.....	8 50
Rochester Gas Light Co., gas, 2 bills..	25 25
Kelly Lamp works, repairs.....	4 50
M. & E. Huntington, sundries.....	15 48
S. M. Stewart, repairs.....	74 33
	183 47

And charge Fire Department Fund.

FINANCE BUDGET—JULY 11.

Water Works Department.

Pay roll, service and repairs.....	128 88
do Dist. reservoir.....	77 44
Clague & Wegman, printing.....	19 00
George B. Harris, labor.....	9 59
N. Y. C. & H. R. R. R., freight.....	3 51
W. S. Falls, printing.....	11 20
G. A. Hotchklin, services.....	5 25
J. T. Smith, printing.....	30 00
T. J. Neville, disbursements.....	9 64

Howe & Rogers, oil cloth, &c.....	17 28
Union & Advertiser Co., order books..	75 35
J. Field, awning, &c.....	24 45
J. C. Moore, blank books.....	108 38
Sherlock & Sloan, pipe, &c.....	4 00
Williamson & Higbie, stationery.....	5 56
Littlefield & Seifried, hardware.....	14 90
Louis Ernst, ..	2 50
Steele & Avery, tracing cloth.....	18 75
Scrantom & Wetmore, stationery.....	8 48
M. A. Warren, livery.....	4 00
S. A. Mittington, lettering.....	15 25
R. D. Wood & Co., hydrants.....	185 50
O. Purcell, services.....	23 50
	796 20

And charge Water Works Fund.

Pay roll, labor on pipe.....	7 50
B. Holly, engineering.....	21 00
Water Works Fund.....	
Printing and labor receiving lead.....	18 21
	46 71

Charged Water Pipe Fund.

Fire Department.

L. Ernst, hardware.....	1 46
Sherlock & Sloan, plumbing.....	11 49
Goggin & K owles, iron work.....	38 08
S. B. Roby, hames.....	2 75
L. S. Gibson, hay.....	16 94
A. S. Mann & Co., cloth.....	2 50
L. S. Gibson, washing.....	25 10
J. B. Teller, repairs.....	5 26
	93 88

Charged Fire Department Fund.

FINANCE BUDGET—JULY 18.

Water Works Department.

Pay roll, service and repairs.....	138 70
Pay roll, dist. reservoir.....	92 85
T. J. Neville, disbursements.....	9 55
Geo. B. Harris, labor in office.....	4 33
R. F. Blackall, tel. expenses.....	12 37
F. Schlegel, plants.....	4 50
L. Gardner, painting.....	1 50
G. W. & C. T. Crouch, blocks and w.....	80 75
D. W. James, repairs roof.....	25 00
J. Nelson Tubbs, expenses.....	50 00
J. B. West, meters.....	24 00
Morgan Env. Co., envelopes.....	36 84
L. G. Tillotson & Co., Insulators.....	7 50
G. Weldon, wall paper.....	7 75
	440 90

Charged Water Works Fund.

Water Works Fund, sundries.....	51 51
G. W. & C. T. Crouch, blocks, wedges.....	10 17
	61 68

Charged Water Pipe Fund.

Fire Department.

B. L. Blackall, telegraph expenses.....	\$28 67
Watters & Doyle, coal.....	202 20
Geo. Weldon, paper hangings.....	42 16
L. W. Wehn, hay and straw.....	36 71
J. J. Kolb, bell ringing.....	58 75
L. G. Tillotson Co., telegraph sup- plies.....	22 25
Morgan Envelope Co., envelopes.....	1 25
	381 99

Charged Fire Department Fund.

FINANCE BUDGET—JULY 22, 1879.

Water Works Department.

Monthly pay-roll, operating expenses \$1,225 18	
Weekly pay-roll, service repairs, &c.....	147 00
Weekly pay-roll, distributing reservoir	98 62
Monthly pay-roll, conduit line.....	87 49
Salaries of Board.....	333 33
H. D. Blackwood, whitening walls.....	2 00
Sargent & Greenleaf, keys, &c.....	3 25
William Paucker, drinking trough.....	16 00
J. Field, packing, &c.....	4 45
Geo. B. Harris, labor.....	9 59
J. B. Colman, corporation taps.....	110 50
J. C. King, beds and bedding.....	19 80
Howe & Rogers, oil cloth.....	5 00
Mrs. Gray, boarding men.....	3 00
A. Kasseab, horse keeping.....	36 00
J. Major, painting house.....	30 00
	2,181 21

Charged Water Works Fund.

John Cregan, trenching.....	\$94 36
F. C. Lauer, laying pipe.....	96 37
James D. Casey, laying pipe.....	14 49
W. W. Fund, telegraphs and labor.....	17 05
Monthly pay-roll, labor.....	55 50
E. Holley, engineer, services.....	30 00
Geo. A. Hotchklin, engineer, services..	2 62
	339 99

Charged Water Pipe Fund.

Fire Department.

H. E. Edmonds, painting.....	\$1 00
------------------------------	--------

James Field, sundries	6 89	
J. C. King, bedding	175 85	
S. M. Stewart, repairs	41 50	
L. S. Gibson, monthly pay-roll of Department	2,282 58	2,509 82

Charged Fire Department Fund.

COPIES OF PAY ROLLS—Water Works Department—inclosed in Finance Budgets in July, 1879.

WATER WORKS FUND—SERVICE AND REPAIRS.

July 5.		
P. C. Fleming,	7 days.....	\$12 00
E. A. Maher,	7	12 00
J. King,	7	10 50
L. T. Lidster	7	10 50
F. Curran,	7	10 50
W. Fogarty,	6	9 00
H. Weber,	6	9 00
F. McKenna,	6	9 00
W. McCarthy,	3½	5 25
J. Gallagher,	6	9 00
P. McKanna,	6	7 50
P. Leck,	6	7 50
E. Farley,	6	9 00
M. Mulvey,	4½	4 50
R. Robinson,	1	1 00
J. Moser,	1	1 00
James Young,	2	2 00
Charles Miller,	3½	3 50
Jas. Sutter,	1	1 00
Patrick Walker,	1	1 00
S. E. Armstrong,	12	24 00
P. Neville,	1½	3 00
Jas. Swanton,	1	1 00
		\$162 75

Charge Water Works Fund.

SERVICE, REPAIRS, & C.

July 11.		
E. A. Maher,	7 days.....	\$12 00
P. C. Fleming,	7	12 00
J. King,	7	10 50
L. T. Lidster,	7	10 50
F. Curran,	7	10 50
J. Gallagher,	6	9 00
F. McKenna,	6	9 00
P. Leck,	3½	4 38
E. Farley,	9 00	9 00
M. Mulvey,	5	5 00
P. Boyle,	1½	5 50
George Koehler,	5	5 00
P. Vernam,	4	4 00
S. E. Armstrong,	1	2 00
W. Fogarty,	6	9 00
H. Weber,	6	9 00
P. McKanna,	6	7 50
		\$128 88

Charged Water Works Fund.

SERVICE, REPAIRS, & C.

July 17.		
E. A. Maher,	7 days.....	\$12 00
P. C. Fleming,	7	12 00
J. King,	7	10 50
L. T. Lidster,	7	10 50
F. Curran,	7	10 50
F. McKenna,	6	9 00
H. Weber,	6	9 00
W. Fogarty,	6	9 00
S. E. Armstrong,	6½	9 00
J. Gallagher,	6 8-10	10 20
P. McKanna,	6	8 50
P. Leck,	6	7 50
E. Farley,	6	9 00
Michael Mulvey,	6	6 00
George Koehler,	3	3 00
T. Vernam,	3	3 00
		\$138 70

And charge Water Works Fund.

SERVICE REPAIRS, & C.

July 22.		
E. A. Maher,	7 days.....	\$12 00
P. C. Fleming,	7	12 00
John King,	7	10 50
L. T. Lidster,	7	10 50
F. Curran,	7	10 50
F. McKenna,	6	9 00
W. Fogarty,	6	9 00
H. Weber,	6	9 00
J. Gallagher,	6	7 50
P. McKenna,	6	7 50
P. Leck,	6	7 50
E. Farley,	6	9 00
M. Mulvey,	6	6 00
P. Vernam,	6	6 00
J. Barry,	6	6 00
W. McCarthy,	1	1 50
S. E. Armstrong,	6	12 00
		\$147 00

And charge Water Works Fund.

WATER WORKS EXTENSION.

July 22.		
T. H. Rogers,	½ month.....	\$27 50
J. McMahon,	14 days.....	28 00
		\$ 55 50

And charge Water Pipe Fund.

DISTRIBUTING RESERVOIR.

July 5.		
Robert Long,	6 days.....	\$9 00
Patrick Murray,	6	6 00
John Ford,	4	4 00
Robert Quinn,	5½	5 50
John Daly,	6	6 00
John Logan,	6	6 00
James Sullivan,	5½	5 50
Jos. Greener,	1	1 00
John Costello,	6	6 00
Ed. Toppen,	5	5 00
H. O'Hara,	6	7 50
Chas. Richards,	4	4 00
John Coughlin,	4	4 00
Jas. McIntosh,	6	6 00
E. Stevenson,	6	6 00
H. McGivern,	4½	4 50
John Stanton,	4	4 00
Walter Long,	4	2 00
		\$ 92 00

Charge Water Works Fund.

DISTRIBUTING RESERVOIR.

July 11.		
Robert Long,	5	7 50
John Costello,	4	4 00
H. O'Hara,	4½	5 94
J. McIntosh,	4½	4 50
H. McGivern,	4	4 00
E. Stevenson,	5	5 00
Ed. Toppen,	4½	4 75
Chas. Richards,	1½	4 50
Robert Quinn,	4	4 00
Patrick Murray,	5	5 00
J. Stanton,	1½	1 50
J. Daly,	4½	4 50
John Logan,	5	5 00
Jas. Sullivan,	4½	4 25
J. Coughlin,	4	4 00
Walter Long,	5	2 50
J. Ford,	5	5 00
M. Hart,	1	1 00
M. Farley,	1½	50
W. Mann,	4	4 00

Charge Water Works Fund.....

DISTRIBUTING RESERVOIR.

July 18.		
Robert Long,	6 days.....	\$9 00
J. Costello,	3½	3 25
H. O'Hara,	6	7 50
J. McIntosh,	6	6 00
H. McGivern,	3	3 00
E. Stevenson,	5	5 00
C. Topham,	5-10	5 10
R. Quinn,	3	3 00
P. Murray,	5½	5 75
J. Stanton,	6	6 00
J. Daly,	5½	5 75
J. Logan,	4½	4 75
J. Sullivan,	4½	4 50
J. Coughlin,	¾	75
W. Long,	6	3 00
J. Ford,	6	6 00
M. Hart,	6	6 00
M. Farley,	5½	5 50
D. Donovan,	3	3 00

Charge Water Works Fund.....

DISTRIBUTING RESERVOIR.

July 22.		
R. Long,	6	9 00
J. Costello,	5½	5 50
H. O'Hara,	3½	4 87
J. McIntosh,	6	6 00
H. McGivern,	2	2 00
F. Stevenson,	4½	4 50
C. Topham,	3½	3 25
Robt Quinn,	3	3 50
P. Murray,	6	6 00
J. Stanton,	6	6 00
J. Daly,	6	6 00
J. Logan,	6	6 00
J. Sullivan,	6	6 00
W. Long,	6	6 00
J. Ford,	6	6 00
M. Hart,	6	6 00
M. Farley,	5½	5 50
D. Donovan,	6	6 00
J. Kirkpatrick,	4	4 00
A. Curran,	1	1 00

Charged Water Works Fund.

\$98 62

MONTHLY PAY ROLL—OPERATING EXPENSES.

July 22.		
J. N. Tubbs, Chief Engineer, 1 month.....	\$233 34	
E. Kutchling, Assistant Engineer, 1 month ..	138 34	
T. J. Neville, Clerk, 1 month.....	100 00	
C. A. Padley, Receiver, 1 month.....	75 00	
T. H. Rogers, Clerk, ½ month.....	27 50	
W. N. Tubbs, Clerk, 1 month.....	40 0	
L. M. Mandeville, Clerk, 1 month.....	50 00	
S. C. McKay, Foreman, 1 month.....	90 00	
J. McMahon, Inspector, 13 days at \$2.....	26 00	
Henry J. Smith, Engineer, 1 month.....	75 00	
P. J. Healey, Helper, 1 month.....	45 00	
P. J. McCracken, Helper, 1 month.....	45 00	
D. S. Almstead, Keeper D. Res., 1 month.....	50 00	
C. W. Almstead, Keeper D. Res., 1 month.....	35 00	
Alexander Gray, Keeper S. Res., 1 month.....	40 00	
T. M. Blossom, Keeper H. Lake, 1 month.....	40 00	
Robert Crennell, Overseer C. Line, 1 month.....	60 00	
S. H. Oviatt, Overseer C. Line, 1 month.....	60 00	

\$1,225 18

Charge Water Works Fund.

CONDUIT LINE, HONEYEY FALLS STATION.

July 22.		
Jas Spellman, 1 day.....	\$ 1 25	
Geo Telford, ..	1 25	
Patk Bray, ..	1 25	
B F Baker, ..	1 25	
J O'Reilly, ..	1 25	
D Bardo, ..	1 25	
W Sullivan, ..	1 25	
W Gillett, ..	1 25	
J McKenzie, ..	1 25	
C Hawes, horse and wagon 2 days.....	3 00	
A Fride & Son, 6 palls at 18c.....	1 08	

RICHMOND MILLS STATION.

Wm Thompson, 27 days \$1 25.....	\$38 75	
Wm Blair, 3 ..	3 75	
E W Oviatt, 13 ..	16 25	
E Coyne, 2½ ..	3 13	
S Blair, 1½ ..	1 88	
C Crandall, 2 ..	2 50	
F Hutchinson, 2 ..	2 50	

15 33

Feed for horse.....	\$ 2 00	
Oats ..	1 60	
Pasturing ..	3 00	
Repairs to harness ..	1 50	
Postage stamps ..	30	
	8 40	

72 16

Charged Water Works Fund..... \$ 87 49

MONTHLY PAY ROLL OF FIRE DEPARTMENT

For the month of July, 1879.

E O'Loughlin, Hoseman No. 1, 1 mo.....	\$ 16 67	
Edward Goggin, ..	16 67	
William T Fox, ..	16 67	
Geo Schieber, .. No. 2, ..	16 67	
John B Teller, ..	16 67	
Jas McKay, ..	16 67	
Geo E Miller, .. No. 3, ..	16 67	
Jas Leonard, ..	16 67	
J S Whalen, ..	16 67	
Frank Whitbeck, .. No. 4, ..	16 67	
Wm Bohan, ..	16 67	
Leo White, ..	16 67	
J Ringelstein, H. & L. Co. No. 1, ..	25 00	
A Andrews, ..	16 67	
Frank Huck, ..	16 67	
J J Crouch, ..	16 67	
A Bartel, ..	16 67	
W Fogarty, ..	16 67	
J McMullen, ..	16 67	
F A Craft, ..	16 67	
J B Haggerty, .. No. 2, ..	16 67	
J Metzler, ..	16 67	
J Colbert, ..	16 67	
W McNassis, Hoseman No. 3, ..	16 67	
T Whitley, H. & L. Co. No. 2, ..	16 67	

\$425 08

B F Blackall, Supt. Telegraph.....	\$ 112 50	
L S Gibson, Chief Engineer.....	120 00	
J Malcolm, Assistant ..	27 00	
J Plunkett, ..	60 00	
P J Bartel, engineer No 1, one month.....	27 00	
Mich'l Lumbert, driver ..	50 00	
John Bauer, hoseman ..	50 0	
Thomas Cole, hoseman ..	55 00	
F A Jaynes, Foreman No Two ..	53 00	
Chas Weaver, Driver ..	50 00	
E H Mix, Hoseman No One ..	50 00	
J P Topham, Engineer No Three ..	50 00	
C Armstrong, Driver ..	60 00	
J McCormick, Hoseman ..	50 00	

Chas Little, ..	50 00
Sam Bemish, Foreman No Four ..	55 00
Bernard Kearney, Driver ..	50 00
Owen Lynch, Hoseman ..	50 00
Geo D Baker, Foreman ..	55 00
T W Rice, Tillerman ..	50 00
E H Roark, driver ..	50 00
J P Snider, ..	41 00
P O'Meara, Ladderman ..	50 00
John Finzer ..	50 00
Edmund Barker ..	50 00
Wm Boon, Foreman ..	60 00
Dan'l O'Neil, Tillerman ..	55 00
M S Butler, driver ..	50 00
Frank Spears, Ladderman ..	50 00
Chas Shafer, ..	50 00
J P Dowd, Chemical Eng ..	60 00
W Oldfield ..	60 00
R Pendebury ..	50 00
J P Foreman, Sup't Hose ..	60 00

Total.....\$2,282 58

Ordered received, filed and published.
By the Clerk—

OFFICE OF THE EXECUTIVE BOARD, }
ROCHESTER, Aug. 1, 1879. }

By Mr. Jones—Resolved. That the Common Council be requested to provide for the construction of a flag walk on the east side of Jones street, adjoining the premises known as "old No. 5 school house," corner of Centre and Jones street. Adopted—All ayes.
A true copy from the minutes.

FRANCIS P. KAVANAGH, Clerk.

Referred to the Improvement Committeæ.
By the Clerk—

CITY CLERK'S OFFICE, }
ROCHESTER, N. Y., Aug. 12, 1879. }

To the Honorable the Common Council :

GENTLEMEN—In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office as Commissioners of Deeds: M. Gibbons, Henry J. Hetzel, John Kavanagh and E. H. Palmer.

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.

ACTION ON ORDINANCES.

IMPROVEMENT OF FITZHUGH STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this council the expense of improving Fitzhugh street from Adams street to Edinburg street.

Adopted.

The Surveyor submitted as such estimate \$2,930.

By Ald. Wickens—Resolved, That the following improvement is expedient, viz:
The improvement of Fitzhugh st., from Adams st. to Edinburg st., by constructing a gravel roadway with Medina stone curbs and gutters on each side thereof. Also a flag walk six feet wide in one course on each side of the street, except where good six feet flag walks may now exist. Also such repairs as may be found to be necessary.

And Whereas, The City Surveyor, under direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$2,930, which estimate is hereby approved.

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

One tier of lots on each side of Fitzhugh st. from Adams st. to Edinburg st.

And further, Resolved, That the tax-payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter, of 1874, of the City of Rochester, that all persons interested in the subject matter of said im-

provement, are required to attend the Common Council, on Tuesday evening, August the 26th 1879, at half-past 7 o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

FLAG WALK IN PLYMOUTH PARK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a flag walk, six feet in width, in one course, through Plymouth Park, from Edinburgh street to Glasgow street.

Adopted.

The Surveyor submitted as such estimate \$500.

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

The construction of a flag walk, six feet in width, in one course, through Plymouth Park, from Edinburgh street to Glasgow street.

And whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$500, which estimate is hereby approved:

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

All that portion of the Third Ward of the city of Rochester lying south of Spring and Court streets, and East of Ford street.

And the Clerk is hereby directed to publish notice, in pursuance of Title VI, section 1 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, August the 26th, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,077.

EXTENDING LAKE AVENUE OUTLET SEWER.

On motion of Ald. Eielman, 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. Edelman submitted the following:

An ordinance to extend the Lake avenue outlet sewer from the centre of Lake avenue to the brink of the high falls.

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

The extension of the Lake avenue outlet sewer from the centre of Lake avenue to the brink of the high falls in the Genesee river, the sewer as extended to be constructed of stone or iron pipe and in tunnels, and the route to be through Deer Hollow ravine and in the vicinity thereof, referent for exact line of location being had to a map of the same, now on file in the City Surveyor's office.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$12,000, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the territory described by, and enclosed within, the following boundary lines, viz:

Beginning at the intersection of the east line of Lake avenue with the north line of McCracken street; thence northerly along Lake avenue, and including one tier of lots on the east side thereof, to the top of the hill, near the Sweeting property; thence southerly along Lake avenue and including one tier of lots on the west side thereof to Lake View Park; thence westerly along Lake View Park and including one tier of lots on the north side thereof to the westerly extremity of said park; thence westerly on the north line of said park produced, to the street at the east end of the Driving Park grounds; thence southerly along said street and including a strip of land 100 feet wide on the west side thereof to McCracken street; thence westerly along McCracken street and including a strip of land 100 feet wide on the north side thereof to the city line; thence southerly along the city line to the northerly line of the Erie canal lands; thence southeasterly along the northerly and easterly line of the Erie canal lands to a point opposite the south line of Lorimer street; thence easterly along Lorimer street and including one tier of lots on the south side thereof to Frank street; thence southerly along Frank street and including one tier of lots on the west side thereof to Jones avenue; thence easterly along Jones avenue and including so many of the lots on the south side thereof as front on Jones avenue to Lake avenue; thence northerly along Lake avenue and including one tier of lots on the east side thereof, from Ambrose street, to the place of beginning, excepting therefrom the banks of Deep Hollow creek.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement, may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount, within one year from the confirmation of such roll; and the remaining one-third, within two years from the confirmation of such roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed at seven per cent. per annum.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for a plank walk in Ames street came up.

Ald. Knobles presented a remonstrance, and moved that the ordinance be indefinitely postponed. Adopted.

The final ordinance for the opening and extension of Goodman street was postponed for two weeks, on motion of Ald. Crouch.

FINAL ORDINANCE NO. 2,078.

EAST MAIN STREET FLAG STONE WALK.

On motion of Ald. Wickens 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. Wickens submitted the following:

An Ordinance to construct a flag stone walk five feet wide on each side of East Main street, from University avenue to Goodman street, except where good flag walks now exist, and at the bridge over the railroad.

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

The construction of a flag stone walk five feet wide, on each side of East Main street, from University avenue to Goodman street, except where good flag stone walks now exist, and at the bridge over the railroad.

And the whole expense shall be defrayed by the assessment upon all the lots and parcels of land to be benefited thereby; and the city surveyor, under the direction of this Council having made an estimate of such expense and reported the same at \$8500, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvements is described as follows:

One tier of lots on each side of East Main street from University avenue to Goodman street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows:

One-third of the amount assessed within thirty days after the advertisement of the Assessment Roll; one-third of the amount within one year from the confirmation of said Roll; and the remaining one-third within two years from the confirmation of said Roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed at seven per cent. per annum.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,079.

PIPE SEWER IN DAVIS STREET.

On motion of Ald. Edelman 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. Edelman submitted the following:

An ordinance to construct a pipe sewer 12 inches and 15 inches in diameter in Davis street, from the sewer in Finney street to a point 757 feet east thereof; also, the necessary surface sewers, lot laterals and man-holes.

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

The construction of a pipe sewer 12 inches and 15 inches in diameter in Davis street, from the sewer in Finney street to a point 757 feet east thereof; also, the necessary surface sewers, lot laterals and man-holes.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$1,082, which estimate is hereby approved; 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 Davis street, from Finney street to a point 757 feet east thereof.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.
The final ordinance for a plank walk on Champlain street, after allegations were heard, was postponed two weeks on motion of Ald. Chambers.

The final ordinance for a sewer in Campbell street came up.

By Ald. Vay—Resolved, That the ordinance for a stone sewer in Campbell street be amended by extending the proposed sewer to a point 50 feet west of Grape street, and the estimates for the proposed work be made \$1,800. Also, the territory to be assessed be one tier of lots on each side of Campbell street, from Saxton street to Grape street.

The final ordinance for Franklin Square flag walk was indefinitely postponed on motion of Ald. Hebing, who presented a remonstrance.

In Common Council.

AN ORDINANCE RELATING TO NEWSBOYS AND BOOTBLACKS.

SECTION 1. No boy or boys or other persons known as "bootblacks" or as "newsboys" shall ply their trade or business in any of the streets, avenues, lanes, parks, or other public places of the city without a permit from the Mayor, as hereinafter provided.

§ 2. The Mayor is hereby authorized to grant permits in writing to the class of persons known as bootblacks and newsboys to ply their trade or business in the streets, avenues, lanes, parks, or other public places of the city. No permit shall be issued to any applicant until the parent or guardian of such applicant, or some other person, shall give to the Mayor satisfactory assurance of the good character of such applicant. All permits granted under this ordinance shall last for a period of not more than one year, and may be renewed annually.

§ 3. Each person on receiving a permit as provided for in the foregoing section shall forthwith present the same to the Chief of Police whose duty it shall be to supply such persons with a number or badge to be and remain the property of the city of Rochester, and shall be returned to said Chief at the expiration of the time for which permit was granted, or at any time should said permit be revoked. The said Chief of Police shall endorse such number upon the permit and shall keep a correct record of the name of each person to whom a permit is granted, with his place of residence, the trade or business he is permitted to pursue under the ordinance, and the number with which he is supplied. The Chief of Police shall collect a fee not exceeding one dollar from each person to whom the number herein provided for is issued, which shall be by him paid into the city treasury.

§ 4. Each person to whom a number is issued under the preceding section shall, while plying his trade or business, wear said number on the front of his hat or cap, or on the breast of his coat, so that the same may be plainly seen.

§ 5. The Mayor may revoke the permit herein provided for, and it shall be deemed sufficient cause for such revocation that the person whose permit is revoked has been guilty of using indecent or profane language or of committing any act of a disorderly or dishonest nature.

§ 6. Any violation of or failure to comply with any of the provisions of this ordinance, upon conviction thereof, shall be punished by a fine not exceeding ten dollars, or by imprisonment in the Monroe county penitentiary (where the person is sixteen years of age or upwards), for a term not exceeding thirty days, and in the Western House of Refuge, where the person is under sixteen years of age, or by both such fine and imprisonment, at the discretion of the court before whom such conviction shall be had.

Referred to the Committee on Ordinances and Rules.

Ald. Otis stated that there were two streets in the city named Lewis. He moved that the matter be referred to the Aldermen from the 12th, 14th and 16th wards to report.

UNFINISHED BUSINESS.

The Clerk presented the matter of the petition of Mr. Ames, asking that he be granted some compensation for the loss of a horse while employed by the city.

Ald. Vay moved that the matter be referred to the Law Committee.

Ald. Crouch moved that the Clerk draw an order in favor of Mr. Ames for \$125.

Ald. Hebing moved as a substitute, that the lunch be dispensed with for ten meetings of the Council, and that the sum thus saved be donated to Mr. Ames.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Hart—10.

Nays—Ald. Tracy, Crouch, Chambers, Chace, Edelman, Knobles—6.

Ald. Hart moved that the Clerk draw an order on the Treasurer for \$150 in favor of Mr. Ames and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

MISCELLANEOUS BUSINESS.

By Ald. Edelman—Resolved, That the Executive Board be requested to raise all lateral sewer grates on Woodbury street from Hudson street to North street. Adopted.

By Ald. Hart—Resolved, That Adam Affel be appointed special policeman of the Bay Railroad, without pay from the city. Adopted.

By Ald. Edelman—Resolved, That the New York Central Railroad Company is hereby requested to station another flagman on the crossing of North street, as there is so much traffic there that two men are actually necessary, and the City Clerk is hereby directed to transmit a copy of this to the New York Central Railroad Company. Adopted.

By Ald. Edelman—Petition of citizens to pay Game Constable Schwartz a salary. Referred to Law Committee.

By the President—Petition to erect a wood building in Lorimer street. Referred to Wood Committee and Fire Marshal.

By Ald. Crouch—Petition of Wm. Huddy to erect a wood building. Referred to Wood Building Committee and Fire Marshal with power to act.

Also petition of the New York State Homeopathic Medical Society for the use of the Council Chamber on the 9th and 10th of September. He moved that the prayer of the petition be granted. Adopted.

Ald. Crouch moved that the Clerk draw an order in favor of Loren Packard for \$29.45, and charge erroneous assessment.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Hebing—Resolved, That the Committee on Parks be and they are hereby instructed to remove the fountain in Franklin Square and to put in place thereof a drinking fountain, same style and pattern as the one erected in Plymouth Square. Adopted.

Ald. Hebing moved that the Board proceed to ballot for Commissioner of Deeds. Adopted.

E. F. Wellington having received the requisite number of votes was elected Commissioner of Deeds.

By Ald. Warren—Resolved, That the City Treasurer be and he is hereby directed to collect of F. G. Wulschleger \$20.16 in full for his tax on lot 96, Davis and Hollister tract, in the 14th Ward, he having been erroneously assessed \$39.73, being in excess of the proper amount of \$19.62, and charge the latter amount to erroneous assessments. Adopted.

By Ald. Warren—Whereas, Lot No. 1, pt of Robert Penny's subu. tract, North avenue, 6th Ward, was assessed for the General City Tax for the year 1878, under one valuation and in one amount, and is now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated August 11th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$11.86, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE, }
ROCHESTER, N. Y., August 11th, 1879 }

George D. Williams, Treasurer :

Sir: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to Louis C. Lange, viz:

Lot No. 15 and pt. 1 Robert Penny's Sub'n Tract, East side of Hudson street, 6th Ward, 36½ feet front, and 36½ feet rear, and 145 feet deep and that the owner of said property should pay as his portion of the General City Tax for the year 1879 the sum of \$11.86 upon the payment of which, with expenses and interest, will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY, }
AUGUSTUS V. KOETH, }
WM. MAHER, } Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., Aug. 11th, 1879 }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Whereas, Lot No. 1 of the Robert Penny Subdivision Tract, North avenue, Sixth Ward, was assessed for the General City Tax for the year 1879 under one valuation and in one amount, and is now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated August 11th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$9.81, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE, }
ROCHESTER, N. Y., Aug. 11, 1879 }

George D. Williams, Treasurer :

Sir—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to Louis C. Lange, viz: Lot No. 15 and part 1, Robert Penny's Subdivision Tract, east side of Hudson street, Sixth Ward, 36½ feet front, 36½ feet rear, and 145 feet deep, and that the owner of said property should pay as his portion of the General City Tax for the year 1879 the sum of \$9.81, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY, }
AUGUSTUS M. KOETH, }
WM. MAHAR, } Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., Aug. 11, 1879 }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Resolved, That the City Treasurer be, and he is hereby directed to cancel the \$2,000 personal property, assessed to the heirs of F. Goodrich in the Sixth Ward, said personal property having been disposed of previous to the confirmation of the assessment rolls, and charge the same to erroneous assessments. Adopted.

By Ald. Westbury—Petition for gas mains mains in favor street.

By Ald. Westbury—Resolved, That the Rochester Gas Light Company be, and are hereby requested, to extend their gas mains through Favor street, from West avenue to Troup street. Adopted.

Resolved, That a committee to consist of D. W. Powers, Patrick Barry and James E. Booth, be appointed and authorised to take charge of the city's interests in the matter of

the Rochester and State Line Railway Company's bonds, said committee to be fully empowered to bring and maintain all necessary actions and proceedings in behalf of the city, to the end that the city may recover its bonds or their value, or take other action as they may deem advisable.

Ald. Crouch moved that the matter be laid on the table until the next meeting.

Lost by the following vote :

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Crouch moved that Ald. Hebing be added to the committee of citizens as its chairman. Adopted.

The resolution as amended was adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

On motion of Ald. Hebing the Board then adjourned.

EDWARD ANGEVINE,
City Clerk.

In Common Council, Aug. 26, 1879.

REGULAR MEETING.

Present—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—12.

Absent—Ald. Tracy, Chace, Vay, Wickens—4.

In the absence of the President the Clerk called the meeting to order.

Ald. Knobles moved that Ald. Hart act as President *pro tem*. Adopted.

The minutes of the last meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Fitz Simons—Petition for water mains in Lind street. Referred to the Committee on Water Works.

Also petition for a pipe sewer in Campbell street. Referred to the Sewer Committee.

Also petition for water mains in Erie street. Referred to Water Works Committee.

By Ald. Otis—Bills of

M. & E. Huntington, oil.....	\$3 00
Union and Advertiser, printing blanks.....	7 50
C. H. Stunp, printing blanks.....	7 50

Referred to Health Committee.

By Ald. Hebing—Petition of Barnet Levi for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Hebing—Petition of James G. McCartney for alleged damages sustained on Smith street. Referred to the Law Committee.

By Ald. Crouch—Bills of

W. & J. M. Aikenhead, soap.....	\$12 50
John Hahn, meat.....	200 00
Joseph Schulte, Overseer's disbursements.....	56 00
John Groh, shoes.....	41 50
Geo. Appel, bread.....	14 92
A. Schreck, groceries.....	25 50
Daniel Loebis, flour.....	147 00
John Getzel, shoes.....	10 25
D. E. Fichtner, bread.....	25 50
John Hart, shoes.....	250 05
Johanna Yawman, bread.....	21 18
F. Deinger, bread.....	46 58

Schaeffer & Bro., bread.....	124 55
L. A. Wheeler, meat.....	100 00
F. Morhardt, meat.....	50 00
H. Kondolph, bread.....	53 60
P. Joyce, burials.....	30 50
Geo. Bastian, bread.....	17 65
A. Hetner, bread.....	19 66

Referred to the Poor Committee.
By Ald. Chambers—Bills of

David Upton, hack hire.....	\$ 3 00
Tower & Herrick, stationery.....	32 85
Benjamin & Barber, printing.....	62 50
James Day, hack hire.....	3 00

Referred to the Contingent Expense Committee.
By Ald. Mandeville—Bill of

I. F. Carter, carpet.....	\$82 62
---------------------------	---------

Referred to the City Property Committee.

By Ald. Mandeville—Petition of tax payers to lay gas mains in Tappan street, and moved the prayer of the petitioners be granted and that the Citizens' Gas Company be requested to lay mains. Adopted.

By Ald. Edelman—Petition for water mains in Mark street; also, a certificate from Dr. Padiera showing that the water was affected with malaria; and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Edelman—Bills of

August Moderi, labor on parks.....	\$40 59
James Jordan, labor on parks.....	7 00

Referred to the Park Committee.

By Ald. Edelman—Bills of

Goodale & Stiles, lamp burners.....	\$21 00
Sherlock & Sloan, lamp tops.....	96 75
Citizens' Gas Co., gas for month of August....	2,340 57

Referred to the Lamp Committee.

By Ald. Edleman—Petition of Mary Ann Hartman for claim of damages from overflow of sewer. Referred to Law Committee.

By Ald. Edleman—Petition of Catherine Streb for claim of damages from overflow of sewer. Referred to Law Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Otis, from the Health Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Edleman, from the Park and Lamp Committees; reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Hebing—

To the Honorable the Common Council of the City of Rochester.

Your Law Committee, to whom was referred the petition of Julius C. Jordan, praying to have the amount of certain unpaid taxes reduced, would report: That Christopher Jordan (father of the petitioner) in his life-time was the owner of a certain vacant lot known and designated as lot No. 4, in the Strong tract, situated on North St. Paul street, in the 5th Ward, in said city, which has been assessed to "Unknown." The taxes remaining unpaid on said lot amount in the aggregate to the sum of \$86, which, in the opinion of your committee, is more than the property is really worth, and considerably more than it could be sold for at a forced sale. Your petitioner is willing to pay \$43, which is one-half of the amount of the taxes unpaid, in case the city will receive that sum and cancel the whole. Believing that this is more than the city will ever realize out of the property by foreclosing its lien against it,

the committee recommend that the prayer of the petitioner be granted, and therefore offer the following resolution for the consideration of the Board:

Resolved, That the City Treasurer be and he hereby is authorized to cancel the unpaid taxes assessed to "Unknown" on lot four (4), in the Strong tract, located on North St. Paul street, in this city, on the receipt of \$43, and charge the balance to erroneous assessments.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee

Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester:

Your Law Committee to whom was referred the claim of James H. Babcock for injury to his horse, would report:

That on or about the 25th of April last the petitioner was driving his horse on North St. Paul street near Hart avenue, which was perfectly smooth, when suddenly the earth and pavement sank beneath the horse's feet and he was precipitated into a hole, whereby he sustained injuries. The street where the accident occurred was apparently in good condition and the city having no knowledge or information of there being any defect therein, your committee are of the opinion that this is one of those unavoidable accidents for which it is in no wise liable therefor and therefore report adversely to granting the relief prayed for.

All of which is respectfully submitted.

Dated Aug. 26th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Ordered received and published.

By Ald. Hebing—

To the Common Council of the City of Rochester.

Your Law Committee, to whom was referred the petition of John M. Bardwell, claiming compensation for ten days' services as assistant in the Assessors' office in this city in May, 1876, hereby report:

Your petitioner states he received notice of his appointment by the Assessment Committee of the Common Council on the 27th day of April, 1876, as assistant in the Assessors' office, with a request for him to report for duty to the Assessors on the morning of the 1st of May following, which he did; and that he reported daily thereafter for duty until the 10th of May, when he first entered upon the performance of any service under said appointment. Charles M. St. John was then acting as assistant in said office and he declined to vacate the position, claiming that the appointment was illegal and void for the reason that the committee had not been authorized by the Common Council to make the same. Mr. St. John continued to act as such assistant until the 10th day of May and received pay therefor. In the meantime the Common Council by resolution authorized the committee to make the necessary appointments, and your petitioner on said 10th day of May entered upon the performance of his duty under the appointment aforesaid and received pay for the whole time he rendered service

thereafter. Mr. St. John having rendered the services down to the 10th of May and received the pay therefor, and your petitioner not having rendered any service prior thereto and having received pay for all services rendered thereafter, it is the opinion of the committee that your petitioner is not entitled to the relief prayed for, and therefore report adversely to granting the same.

All of which is respectfully submitted.
Dated Aug. 26th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Received, filed and published.
By Ald. Hebing—

To the Common Council of the City of Rochester :

Your Law Committee to whom was referred the petition of George Schwartz, praying the Common Council to pay him a yearly salary while acting as game constable would report:

That chapter 482, of the laws of 1875, entitled "An Act to confer on Boards of Supervisors further powers of local legislation and administration, and to regulate the compensation of Supervisors." Passed June 5, 1875, among other things provides as follows:

Section I. Subdivision 16. To provide for the protection and preservation, subject to the laws of this State, of game animals and birds, and of fish and shell fish in all waters within the territorial jurisdiction of the county. And to prescribe and enforce the collection of penalties for the violation of any laws or regulations they may make pursuant to the provisions of this subdivision.

In pursuance of the foregoing act the Board of Supervisors of Monroe County on the 21st of December, 1877, passed the following bill:

"An Act authorizing the City of Rochester to elect a Game Constable."

"Whereas, By chapter 482, section 16, of the laws of 1875, entitled An Act to confer on the Boards of Supervisors further powers of local administration and to regulate the compensation of Supervisors, power is granted to Boards of Supervisors to provide for the protection and preservation of game and fish, therefore

The Board of Supervisors of Monroe County, in annual session, do enact as follows:

Section 1. The City of Rochester is hereby authorized to elect an officer to be designated as the Game Constable of the City of Rochester.

Section 2. The said Game Constable shall be a resident of the City of Rochester, and shall be elected at the annual spring election in the same manner as other city officers are elected.

He shall hold office for one year from the first Monday following his election.

Section 3. He shall take the same oath of office provided by law for town and city constables, and shall be vested with the same powers now conferred by law upon town and city constables in serving civil process.

Section 4. This act shall take effect immediately."

In pursuance of the foregoing act your petitioner was elected Game Constable of the City of Rochester, at the annual spring election, held in March last, for the term of one year, commencing on the first Monday of April last.

There is no provision of the City Charter au-

thorizing the Common Council to pay a Game Constable any salary, or make any donation to him whatever payable out of the City Treasury, nor does the act under which he was elected contain any provision for compensating him for any services he may render as Game Constable in enforcing the Game law.

The Board of Supervisors, by the provisions of the act aforesaid, vested him with the same powers now confirmed by law upon Town and City Constables in serving civil processes. Town and City Constables are public officers, and are regarded as officers of the county, and for all services rendered by them for the public provision is made by law for the payment thereof by the Board of Supervisors from the County Treasury certain fees and emoluments are allowed Game Constables when they prosecute and convict persons for violating certain provisions of the Game law, but we hardly think they are sufficient to fully compensate as faithful an officer as your petitioner has proved himself to be.

It is our opinion that the Game Constable should be regarded as an officer of the county and not of the city.

He is required to perform duty as Game Constable in every part of the county where the game laws are violated. It is very rare that a violation of the game laws occurs within the limits of the city. The people of the whole county are equally benefitted by a strict enforcement of the game law, and therefore we believe that if any salary or compensation should be paid to the Game Constable it should be paid from the County Treasury.

We believe your petitioner, for the faithful manner in which he has thus far discharged his duties, ought to receive extra compensation for the services he has rendered, and we regret to find the Common Council has not the power to compensate him.

For the foregoing reasons we are constrained to report against granting the prayer of your petitioner.

All of which is respectfully submitted.

Dated August 26, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Law Committee.

Received and published.

FINANCE BUDGET.

ROCHESTER, N. Y., Aug. 26, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Wm. Whitehair, hack hire	2 00
Leary & Co., refreshments	15 00
Scranton & Wetmore, stationery	74 05
Williamson & Higbie, "	28 83
Union & Advertiser, copies of papers	11 25
J. C. Cochrane, legal services	100 00
J. M. Angle, "	105 00
And charge that fund.	

POOR DEPARTMENT FUND.

A. Vogel, meat	50 00
Joseph A. Otto, groceries	33 00
Hoffman & Maier, burials	51 00
M. Buckley & Co., groceries	15 00
Boardman, Sherman & Co., flour	158 20
Gerling Bros., flour	74 50
W. & J. M. Aikenhead, soap and candles	44 75
A. H. Cork, groceries	13 57
John B. Hahn, flour and meal	37 50
Geo. Schofield, transportation	38 63
Zegewitz & Fisher, meat	100 00
Louisa Klein, bread	59 32
Thomas Stevenson, groceries	8 00
J. H. Frick, burials	12 00

Smith, Perkins & Co., groceries.....	10 50
Moore & Cole, groceries.....	8 00
E. R. Andrews, blanks for Excise Com'rs.....	26 75
Smith, Perkins & Co., groceries.....	533 62
And charge that fund.	

CITY PROPERTY FUND.

Frost & Co., labor and materials.....	\$ 12 15
Burke, Fitz Simons, Hone & Co., towels.....	10 00
Scrantom & Wetmore, lawn mower.....	17 00
And charge that fund.	

PARK DEPARTMENT FUND.

Blakeley, King & Carey, pipe, &c.....	\$187 00
..... repairing fountain.....	20 77
R. B. Randall, repairing lawn mower.....	26 25
J. S. Miller, labor, &c.....	32 50
And charge that fund.	

POLICE DEPARTMENT FUND.

Alex. McLean, expenses for July, 1879.....	\$ 68 39
And charge that fund.	

Ald. Crouch moved that the bill of Leary & Co., \$15, be added to the budget.

Adopted by the following vote :

Ayes—Ald. Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—11.

Nays—Ald. Fitz Simons.

The Finance Budget was then adopted by the following vote :

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—12.

By Ald. Crouch—

To the Honorable the Common Council:

GENTLEMEN: Your committee to whom was referred the petition of the Central Union Telegraph Company for the right of way through the city of Rochester, having carefully examined the routes, recommend the following route as least objectionable, and would report as follows:

Resolved, That the Central Union Telegraph Company be permitted to erect their line of telegraph upon the following streets: From the east via Monroe avenue to Jackson street, and thence to South St. Paul street, and thence via Court street across Genesee river, and via Aqueduct street to Main street, going out of the city west via Maple street, further permission to be given by the Council before building on any other streets—provided the consent of the property owners can be obtained.

C. T. CROUCH,
D. H. WESTBURY,
J. W. KNOBLES,
Committee.

Adopted.

Ald. Hebing moved that the vote adopting the report be reconsidered. Adopted.

Ald. Fitz Simons moved that the report be amended by inserting "provided they obtain the consent of the property owners." Adopted. The report as amended was then adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF AUGUST.

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing August 4th, to and including August 25th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Wilson Sprague, 82 Mill street.....	\$40
-------------------------------------	------

Ferdinand Ritz, 91 N. Clinton street.....	40
Geo. R. Dutton, 52 South avenue.....	30
Benedict Kruger, 32 St. Joseph.....	20
Nicholas Kuhn, 291 N. Clinton.....	20
Frederick Hess, 67 N. av.....	20
Titus Eckert, Clifford.....	20
John H. Leehman, 227 N. Clinton.....	20
Ida Kehrig, 9 S. St. Paul.....	40
Frederick Leidecker, 228 N. Clinton.....	20
Fred. H. Merlau, 330 State.....	30
Norman H. Slade, 40 S. St. Paul.....	40
Geo. W. Johns, 110 N. Clinton.....	30
Frank L. Hewitt, 44 S. av.....	30
Patrick H. Curran, 56 Spring.....	20
Andrew E. O'Keefe, 78 W. Maple.....	20
Mary K. Mauder, 33 Oakman.....	20
Joseph Haungs, 273 Brown.....	20
Jacob Mender, 81 Mill.....	40
Sigfried Leider, 9 Mill.....	20
John Zuber, 115 Mill.....	20
Frederick Weichman, Grape and Campbell.....	20
Peter Sheldon, 241 N. Clinton.....	30
A. K. Post & Co., 4 Exchange.....	40
G. Herman Hass, 33 East Main.....	30
Robt. B. Montgomery, 109 Monroe av.....	20
Jacob Johns, 60 West av.....	20
Charles Hummel, 31 Lowell.....	20
The Genesee Valley Dry Dis. Co., 67 Mumford st.....	30
Edwin Farrer, 139 Lyell.....	20
Theodore Goers, 103 Hudson.....	20
Edward H. Davis, 81 State.....	30
Dennis Leary & Co., 92 W. Main.....	20
Geo. Fluck, 24 Center.....	20
Lawrence Barron, 53 Allen.....	40
Curran & Goler, 96 W. Main.....	30
Christian Heilbrun, 169 E. Main.....	40
Amelia Pfaff, 108 State.....	30
Wm. Deutsch, Front and Exchange.....	20
Henry Aman, 139 East Main.....	30
Coolidge Bros., 124 East Main.....	30
Geo. Welsch, 52 Allen.....	40
John C. Moore, 85 Mill.....	30
Haskin & Smith, 66 West Main.....	30
Henry Geck, 175 North Clinton.....	20
Frank R. Ward, 113 State.....	20
Joseph Rudhart, 70 1/2 Hudson.....	40
Henry Kobbe, 96 N. Clinton.....	30
Ehrhard & Secklin, 40 Allen.....	30
Lou McEntee, 3 Plymouth av.....	20
Joseph Stuenhaver, 13 Allen.....	40
Owen McLean, Center and Mill.....	20

Total amount received and deposited with

City Treasurer.....	\$1,050
Dated Rochester, August 25th, 1879.	

STATE OF NEW YORK,

County of Monroe, } ss.

City of Rochester. }

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of said city and County, being duly sworn, say, and each for himself says, that the foregoing and annexed report of moneys received by them for the purposes named in said report, with the names of persons, dates and amounts therein given, are correctly set forth in said report, and that said report embraces all of the moneys received from August 4th to August 25, 1879 inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,
Excise Com'rs.

Sworn to before me this 25th day of August, 1879,
PARIS G. CLARK, Commissioner of Deeds.
Ordered received, filed and published

CITY CLERK'S OFFICE,

ROCHESTER, N. Y., Aug. 26, 1879. }

By the Clerk—
To the Hon. the Common Council of the City of Rochester:

GENTLEMEN—In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office of Commissioner of Deeds: Roy. C. Webster, E. F. Wellington.

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.

ACTION ON ORDINANCES.

FINAL ORDINANCE NO. 2,080.

PLYMOUTH PARK FLAG WALK.

On motion of Ald. Wickens 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. Wickens submitted the following:
An ordinance to construct a flag walk 6 feet in width in one course through Plymouth Park, from Edinburg street to Glasgow street.

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

The construction of a flag walk, six feet in width, in one course, through Plymouth Park, from Edinburg street to Glasgow street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$50.00, which estimate is hereby approved; and the portion of said City which said Common Council deem will be benefited by said improvement is described as follows:

All that portion of the Third Ward of the city of Rochester lying south of Spring and Court streets, and east of Ford street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—12.

The final ordinance for a stone sewer in Campbell street, was, on motion of Ald. Hebing, postponed two weeks.

FINAL ORDINANCE NO. 2,081.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to improve Fitzhugh street, from Adams street to Edinburg street.

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

The improvement of Fitzhugh st., from Adams st. to Edinburg st., by constructing a gravel roadway with Medina stone curbs and gutters on each side thereof. Also a flag walk six feet wide in one course on each side of the street, except where good six feet flag walks may not exist. Also such repairs as may be found to be necessary.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$2,431, which estimate is hereby approved; 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 Fitzhugh street, from Adams street to Edinburg street.

On which above described portion of city the expenses of said improvement are hereby ordered to be assessed.

And the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of such roll; and the remaining one-third, within two years from the confirmation of such roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed of seven per cent. per annum.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—12.

FINAL ORDINANCE NO. 2,082.

PLANK WALK ON CHAMPLAIN STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on the north side of Champlain street, from Reynolds street to Seward street.

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

The construction of a plank walk 5 feet and 4 inches wide on the north side of Champlain street, from Reynolds street to Seward street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$260, which estimate was and is hereby approved; 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 Champlain street, from Reynolds street to Seward street.

On which above described portion of the city the expenses of said improvement are hereby assessed.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Edelman, Weaver, Knobles, Hart—12.

STONE SEWER IN HUNTER STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a stone sewer in Hunter street, from the sewer in Francis street to a point 750 feet west thereof. Also the necessary surface sewers, lot laterals, manholes, &c. Adopted.

The Surveyor submitted as such estimate, \$2,373.

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

The construction of a stone sewer 1½ feet by 2½ feet in Hunter st., from the sewer in Francis st. to a point 750 feet west thereof. Also the necessary surface sewers, lot laterals, manholes, &c.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$2,373, which estimate is hereby approved.

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

One tier of lots on each side of Hunter st., from Francis st. to a point 726 feet west thereof.

And further, Resolved, That the tax-payers to be assessed for making such improvement may pay their assessments in three equal payments as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of title vii, section 165 of the revised Charter of 1874 of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Sept. 18th, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

Ad. Chambers presented a petition for also a remonstrance against the same. Referred to the Sewer Committee.

UNFINISHED BUSINESS.

Ald. Hart moved that the final ordinance for the extension of Goodman street be postponed two weeks. Adopted.

The penal ordinance in relation to newsboys and bootblacks was postponed until the next regular meeting.

The final ordinance for the opening and extension of Rowe street came up. Ald. Crouch moved that it lie on the table for two weeks. Adopted.

Ald. Hebing called for a reading of the report of the Law Committee on the claim of John B. Arkland for damages and costs against the city.

Ald. Hebing moved that the report be adopted.

Ald. Fitz Simons moved that the amount \$750 be stricken out and \$100 inserted.

The City Attorney was heard.

Ald. Hebing moved that the matter lie on the table until the next regular meeting. Adopted.

By Ald. Mandeville—

Resolved, That the Finance Committee be and they are hereby authorized to employ a suitable person to ascertain who are selling spirituous or malt liquors without Excise Licenses, and to see that they pay licenses or stop the illegal sale.

The President ruled the resolution out of order.

Ald. Hebing moved that the resolution be referred to the Law Committee. Adopted.

By Ald. Warren—
Petition to lay water mains in Almira street, and moved that the prayer of the petitioners be granted, and the Fire and Water Board requested to lay the pipe when there are funds applicable. Adopted.

By Ald. Warren—
Resolved, That the Water Works and Fire Board be and are hereby directed to lay a water main in Scrantom street, from Clinton street, five hundred feet west, and charge cost of same to Water Pipe Extension Fund, when there are funds applicable. Adopted.

By Ald. Westbury—Resolved, That the Police Commissioners of the City of Rochester are hereby authorized to appoint a special policeman to attend the next term of the County Court and Court of Sessions, to be detailed thereto by the Chief of Police, in accordance with Chapter 415 of the laws of 1873, such policeman to receive pay therefor from Monroe county and in no event to have or receive any from or claim any fees against the city of Rochester. Adopted.

By Ald. Edelman—Petition to lay water mains in Costar street. Referred to the Fire and Water Board.

On motion of Ald. Westbury the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Sept. 9th, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Tracy—Bill of
Chas. A. Jeffords, care of lamps.....\$717 75

Referred to Lamp Committee.
By Ald. Otis—Bills of
John Colbert, horseshoeing..... 12 75
John O'Rourke, board of horse..... 54 00
Thomas Kirby, repairing wagon..... 2 00
Geo. Engert, coal..... 5 35
Eagle Odorless Excavating Co., to removing dead animals..... 42 60
Mt. Hope Com., rent of Hospital..... 150 00
John Mason, postage stamps..... 10 00
L. A. & L. F. Ward, insurance..... 10 00

Referred to Health Committee,
By Ald. Warren—Petition of Vacuum Oil Company, for remission of taxes. Referred to the Assessment Committee.

By Ald. Warren—Petition for lamps in Jenning street. Referred to the Lamp Committee.
Also, Petition of Frank Erbacker for the remission of a fine, and offered the following resolution:

By Ald. Warren—Resolved, That the Clerk draw an order on the Treasury in favor of Frank Erbacker, for \$10, and charge Police Fund.

Adopted by the following vote:
Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

By Ald. Crouch—Bills of
Howe & Son, bread and crackers... \$34 32
M. Yawman, bread..... 14 20

Home of Industry, bread.....	33 32
John Schwinger, bread.....	64 16
Louisa Klein, bread.....	14 88
L. Boss, bread.....	124 30
Smith, Perkins & Co., groceries.....	14 00
C. E. Woodward, agent, groceries.....	8 00
M. Bulkley & Co., groceries.....	12 00
John Hart, shoes.....	51 00
J. E. Butterfield, transportation.....	14 79
George Schofield.....	24 92
S. Wheeler, rent.....	10 00
A. Bauerschmitt, meat.....	50 00

Referred to Poor Committee.

REPORT OF THE OVERSEER OF THE POOR FOR THE MONTH OF AUGUST, 1879.

OVERSEER OF THE POOR OFFICE,
ROCHESTER, Sept. 9, 1879.

To the Honorable the Common Council of the City of Rochester

The undersigned, Overseer of the Poor of the city of Rochester would respectfully report that during the month of August he has relieved 387 families in the following manner:

Orders on Food Store.....	\$1,416 87
.. .. Coal Yard.....	91 25
.. .. Wood Yard.....	5 25
.. .. L. A. Pratt, shoes.....	6 75
.. .. John Groh.....	11 00
.. .. J. H. Phelan.....	6 50
.. .. John Hart.....	4 00
.. .. L. P. Beck.....	9 25
.. .. John Oetzel.....	2 75
.. .. A. Boss.....	4 00
.. .. E. D. Webster.....	1 00
.. .. Poor Store.....	12 31
.. .. Burke, FitzSimons Home & Co., dry goods.....	2 50
.. .. G. Mannel, medicine.....	1 50
.. .. J. O. Howard.....	1 00
.. .. M. Heavey, transportation.....	11 00
.. .. J. E. Butterfield.....	2 25
.. .. G. Schofield.....	29 78
.. .. A. W. Mudge, burials.....	12 00
.. .. B. O'Reilly.....	25 00
.. .. Jeffries.....	18 50
.. .. Hoffman & Mayer.....	25 00
.. .. H. & P. Bender.....	12 00
.. .. Foechner & Maier, burials.....	12 00
.. .. P. Joyce.....	12 00

Total.....\$1,735 46
Less Towns..... 76 45

Total to city.....\$1,659 01
all of which is respectfully submitted.

J. SCHUTTE, Overseer of the Poor.
Ordered received, filed and published.

By Ald. Mandeville—Bills of

Howe & Snyder, plumbing.....	\$99 86
Hagen & Meyers, laundry work.....	6 20
Wm. Connors, hardware.....	8 52
Rocheste. Gas Co., gas city buildings.....	83 66

Referred to the City Property Committee.

By Ald. Vay—Petition of Frank Eberle for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Vay—Resolved, That the Rochester Gas Co. are hereby requested to extend their mains through Romeyn st., from Magne st. to Clark st. Adopted.

Ald. FitzSimons moved that the vote just taken be reconsidered.

Lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Weaver—5.

Nays—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Hart—10.

By Ald. Edelman—Bills of

James Wallager, painting.....	\$ 8 00
C. D. Gallagher, turning posts.....	29 00
H. H. Edgerton, oak lumber.....	112 55

Referred to Park Committee.

By Ald. Edelman—Petition of G. W. Wilson for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal, with power to act.

By Ald. Edelman—Communication from Geo. M. Dowd on balance of claim due him from the city, and moved that the communication lie on the table until the next meeting. Adopted.

By Ald. Weaver—Petition of Francis Elias for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Hart—Bill of Alex. McLean, expenses..... \$86 44 Referred to the Police Committee.

By Ald. Hart—
REPORT OF THE POLICE CLERK FOR THE MONTH OF AUGUST, 1879.
POLICE COMMISSIONERS' OFFICE, }
Sept. 8th, 1879. }

To the Honorable the Common Council:
GENTLEMEN:—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of August, 1879, together with the amount collected:

August	Crime.	Penalty.	Paid.
1—Thos McHale	drunk	\$ 5	
John Burns	..	5	5
Dennis Hastings	vio. ord.	2	2
Joseph Winter	..	2	2
Geo Siebert	..	2	2
Carl Mrazahl	assault	10	
John Glavin	cruelty to child	50	10
2—Wm Brady	crunk	5	4 70
James O'Connors	assault	10	
John Maher	drunk	5	
4—Mary Dinnin	..	10	
Patrick J Fields	..	5	
David Brennan	..	5	
Joseph Keen	assault	5	5
Mich Crowley	..	5	5
Mich Carbery	drunk	5	
John Fitzpatrick	cruelty to child	10	10
Con Sullivan	drunk	5	2
John McRoden	..	5	
Ann Prescott	..	5	
Chas McEntee	..	5	2
Blatt T Sperry	..	5	
Dan'l Ackerman	..	5	
Conrad Hackyus	..	5	
Lawrence Mader	..	5	
Jas Hitzfield	..	15	10
Frank Dolan	assault	5	
Frank Dolan	drunk	5	
Albert Rett	vio. ord.	2	2
Frank Goodman	..	2	
Chris Schneider	assault	5	8 50
Dan'l Harrigan	vio. ord.	5	5
5—Terrance Yaman	assault	10	
Joseph Weiland	..	25	
Peter Swamberg	drunk	5	2
Mary A Laidlow	vio. ord.	5	5
7—Chas Schroth	drunk	5	5
Minnie Arnold	..	10	10
Do do	..	10	10
Wm Harter	misdemeanor	10	
8—Sarah Dickinson	drunk	5	
Wm Smith	petit larceny	3	3
Mich Rane	cruelty to animals	5	5
9—John Rowbottom	drunk	5	5
Frank Marks	..	5	
Wm Bredde	..	5	
Thos Gilbert	..	5	
11—John E Hart	..	10	
Geo Harper	..	10	
Frank Willis	assault	5	5
John Doe	an old fine	5	2
12—Benedict Sieller	drunk	10	
Peter Schneider	..	10	
13—Martin J Forbes	..	5	
Geo Laurens	vio. ord.	50	50
Wm Hall	..	50	50
John Cook	..	50	50
Harry Drake	..	50	50
Geo Downing	..	50	50
John Jones	..	50	50
Chas Burkhardt	..	50	49 50
James Brown	..	50	50
Wm Williams	..	50	50
4—John Fahy	drunk	5	5
Chas H Rogers	..	10	10
John Boon	vio. ord.	50	50
Geo. W. Yatau	..	50	40
Fred P. Roseboom	..	50	50
15—Wm. Flynn	drunk	5	
Stephen Murphy	..	10	
John Duverney	..	5	5

Mary Welch	..	5	
Albert Perceval	cruelty to animals	10	
16—John H Stocton	drunk	10	
Wm Hogan	..	5	
Fidellis Eddy	..	5	5
Lillie Keller	..	5	
James D Powers	..	5	5
18—John Dugan	pet larcy	5	
John Love	..	5	5
Joseph Buckley	drunk	5	5
Mary Hall	old judgment	5	16
Henry Hetchler	drunk	5	5
Mark A Doeks	assault	5	4 83
19—Koyv Vanderend	..	5	
Wm Kritchley	..	5	
Herman Kritchley	..	5	
Fred Lockhart	pet larcy	cost	5
Victor Hess	..	5	
20—David Heron	hotel fraud	cost	1
Fred W Heefler	vio ord	50	50
21—Jennie McGuire	drunk	10	
James Martin	..	5	
John Curran	..	5	
Joseph H Hunt	cruelty to animals	10	10
Bernard Dunn	vio ord	25	
Daniel Doyle	drunk	5	
22—Joseph Donivan	pet larcy	10	
Michael Plunkett	..	10	
John Sullivan	drunk	5	5
Rich Pison	assault	10	10
Geo Mason	..	5	
Andrew Grimessey	assault	cost	3
John Heaphy	..	5	
John Ferrean	drunk	5	5
23—James Connell	..	5	5
25—Geo Rannie	..	5	5
John Stanley	..	10	
John Burns	crunk	5	5
Henry Gibson	vio ord	5	
Elezabeth Mann	..	10	
Delia Burns	drunk	10	
Thos McNamara	..	10	
26—Wm Buek	petit larceny	10	
James Murphy	drunk	5	5
Alex O Rushey	cruelty to animals	10	10
Fredrika Miller	petit larceny	20	20
27—Geo Zimmerman	assault	10	
Jennie Van Zandt	vio ord	10	10
David Lampert	cruelty to animals	10	10
Chas Alten	assault	10	10
Frank A. Bentley	drunk	5	
28—Wm Kensella	..	10	
Patrick O'Brien	..	5	
29—Jacob Grosshaums	..	5	5
30—John Fisher	..	5	5
Wells Leonard	..	5	5
Fine by Commissioners	..	5	5

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of August, 1879, is true.

B. FRANK ENOS, Clerk.
Sworn to before me this 9th day of Sept., 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.
By Ald. Chace—Petitions of Geo. Tuety and J. W. Seel for permission to erect wood buildings. Referred to Wood Building Committee and Fire Marshal with power to act.

Also petition for water mains in Spencer st. Referred to Water Works Committee.

By Ald. Vay—Petition for a pipe sewer in Whitney street. Referred to the Sewer Committee.

REPORTS OF STANDING COMMITTEES.
Ald. Tracy, from the Lamp Committee; Ald. Otis, from the Health Committee; Ald. Crouch, from the Poor Committee; Ald. Edleman, from the Park Committee; Ald. Hart, from the Police Committee; reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Vay—Resolved, That Wm. Huddy, Barnet Levi and Mr. Walters have permission to erect wood buildings, in accordance with their several petitions, under the direction of the Wood Building Committee and Fire Marshal. Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester :

Your Law Committee to whom was referred the petition of Mrs. Charlotte Banning would report :

That in the year 1875 an ordinance was passed for the building of a stone sidewalk on the east side of Meigs street from East avenue to Park avenue in this city. The then owner of lot 42 on said street was assessed \$62 for said improvement. Subsequently he sold the lot to the petitioner, stating that this tax had been paid, and exhibited to her a bill which he (the owner) claimed to be a receipt in full for the same, but which the Treasurer claims is only a receipt for the sum of \$20 as a part payment so endorsed upon the said receipt. There is no entry in any of the books in the Treasurer's office of the receipt or payment of any further amount to the Treasurer. After a careful investigation of all of the facts in this case the committee are satisfied that this balance has not been paid to the Treasurer, but still remain a lien upon the lot aforesaid to the extent of \$42 and interest thereon to date.

All of which is respectfully submitted.

Dated Sept. 9th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Adopted.

By Ald. Hebing—

To the Common Council of the City of Rochester .

Your Law Committee, to whom was referred the petitions of Henry C. Wisner and Lewis Selye, praying for a rebate of certain taxes assessed upon certain property owned by them respectively would report :

That after a thorough investigation of the facts relating to each of the claims of the petitioners above mentioned the committee is unable to discover any questions of law involved in either of their respective claims, and would therefore recommend that said petitions be referred to the Assessment Committee for their examination, and that they are hereby requested to report to this Board the result of their investigation.

All of which is respectfully submitted.

Dated Sept. 9th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Referred to the Assessment Committee.

To the Common Council of the City of Rochester :

Your Law Committee to whom was referred the following resolution offered by Alderman Mandeville, viz :

“Resolved that the Finance Committee be and they are hereby authorized to employ a suitable person to ascertain who are selling spirituous or malt liquors without Excise licenses, and to see that they pay license or stop the illegal sale,” would report that after a careful examination of the laws relating to the subject of Excise, we find that in the Amended Charter of the city of Rochester in 1850, entitled “An Act to amend and consolidate the several acts relating to the city of Rochester,” “Passed April 10th, 1850.” Section forty-

eight of said act and the several subdivisions thereof defines the powers of the Common Council, and among others subdivision three of said section provides as follows :

“To forbid and prevent the vending or other disposition of liquors and intoxicating drinks to be drank in any canal boat, store or other place not duly licensed, and to forbid the selling or giving to be drank any intoxicating liquors to any child or young person without the consent of his or her parents or guardian.”

The foregoing subdivision clearly conferred upon the Common Council the right to employ one or more persons to ascertain who, if any, were selling liquor in the city without Excise license, and to see that they either took out a license or ceased selling. This provision of the charter was in force when the Excise law of 1857 was enacted entitled “An Act to suppress intemperance and to regulate the sale of intoxicating liquors.” Passed April 16th, 1857.”

By that act persons are prohibited under a severe penalty from selling liquor to be drank as a beverage without being duly licensed, and it is made the duty of every sheriff, under sheriff, deputy sheriff, constable, marshal, policeman or officer of police to arrest all persons found actually engaged in the commission of any offence in violation of said act, and forthwith to carry such person before any magistrate of the same city or town to be dealt with according to the provisions of the act. There is also a provision in the act repealing all other act inconsistent with any of its provisions.

The power conferred upon the Common Council by subdivision three of section forty-eight of the Charter of 1850, to employ one or more persons to forbid and prevent the vending or other disposition of liquors and intoxicating drinks, to be drank in any place within the city not duly licensed, is, in the opinion of your Committee, not in conflict with any of the provisions of the act in 1857, notwithstanding it is the duty of every Sheriff, Under and Deputy Sheriff, policeman, &c., to arrest persons found violating any of the provisions of said act. Their powers and duties would to a certain extent be similar, but not in conflict with each other.

In 1861 the Charter of city was again revised and amended, by Chapter 143 of the Laws of 1861, entitled “An Act to amend and consolidate the several acts in relation to the Charter of the city Rochester; passed April 8th, 1861.” And among the powers conferred upon the Common Council by that act we find that subdivision three of section forty-eight of the Charter of 1850, above quoted, was retained and re-enacted and is now a part of the City Charter. (See subdivision three, section forty of the present Charter.) The Legislature, by Chapter 175 of the Laws of 1870, entitled “An Act regulating the sale of intoxicating liquors,” passed April 11th, 1870, modified and changed the Excise Law as it then stood, but retained all of the provisions of the Act of 1857, except where the same were inconsistent or in conflict with the provisions of said act. No provision of the act of 1870, or of any subsequent act, is inconsistent or in conflict with that provision of the act of 1857, requiring Sheriffs, policemen and other officers to arrest persons found violating any of the provisions of said act; nor of that provision of the City

Charter empowering the Common Council to forbid and prevent the vending or other disposition of liquors and intoxicating drinks to be drank in any place within the city not duly licensed.

This provision of the Charter not having been repealed but remaining still in force, the Committee are of the opinion the Common Council have the power to employ one or more persons for the purposes stated in said resolution.

All of which is respectfully submitted.

Dated Sept. 9, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee

Ordered received, filed and published.

FINANCE BUDGET.

ROCHESTER, N. Y., Sept. 9, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

MONTHLY PAY ROLL FOR AUGUST, 1879.

Cornelius R. Parsons, Mayor	\$166 66
Geo. D. Williams, City Treasurer	283 30
Albert G. Wheeler, City Attorney	150 00
Oscar H. Peacock, City Surveyor	150 00
Edward Angevine, City Clerk	187 50
David McKay, City Assessor	150 00
August M. Koeth,	150 00
Geo. W. Sill, Judge Municipal Court	150 00
J. W. Duell	150 00
M. H. McMath, Clerk	50 00
Francis J. Irwin, City Messenger	66 67
John O'Leary, Watchman City Hall	55 00
Wm. Connors, Engineer City Hall	55 00
Wm. Waldert, Janitor Front Street Building	37 50
W. C. Gray, Assistant Surveyor's Office	60 00
C. E. Parsons, Draughtsman	60 00
W. J. Stewart, Chainman	40 00
Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office	58 34
E. W. Williams, Treasurer's Office	116 66
James H. Wilson, services in	42 50
Warham Whitney	54 17
Tower & Herrick, stationery for Municipal Court	32 85
David Upton, hack hire	\$ 3 00
James Day, hack hire	3 00
And charge that Fund.	

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO AUGUST 1, 1879.

Joseph Schutte, Overseer	\$116 66
John E. McDermott, Assistant Overseer	50 00
John P. Tracy, bookkeeper	66 67
Jacob Lutt, clerk	40 00
Dr. Thomas A. O'Hare, City Physician	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt,	41 67
Dr. Rockwell,	41 67
Dr. J. J. A. Burke,	41 67
Dr. Louis Weigel,	41 67
Vincent M. Smith, Ex. Com. sal. mo. July	41 67
Porter W. Taylor,	41 67
Edward E. Bausch,	41 67
Paris G. Clark,	41 67
W. & J. M. Aikenhead, soap	129 50
John Hahn, meat	230 00
Joseph Schutte, Overseer's disbursements	56 60
John Groh, shoes	41 50
Geo. Appel, bread	13 80
A. Schreck, groceries	25 50
Daniel Loeb, flour	247 00
John Oetzel, shoes	10 25
D. E. Fichtner, bread	22 00
John Hart, shoes	251 05
Johanna Yawman, bread	19 92
F. Deninger, bread	38 96
Schaeffer & Bro., bread	102 19
L. A. Wheeler, meat	100 00
F. Morhard, meat	50 00
H. Kondolph, bread	45 60
P. Joyce, burials	30 50
Geo. Bastian, bread	16 64
A. Hetner, bread	18 40
And charge that Fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO SEPT. 1ST, 1879.

Sam'l Donnelly, Supt. Board Health, salary	\$ 60 00
Chas. Buckley, M. D., Health Officer	41 67
E. Angevine, Clerk	25 00
Henry M. Beibold, Keeper of Hope Hospital	50 00
John H. Mason, Insp'r	50 00
Joseph Thompson, Insp'r	50 00
John Christie, Insp'r	50 00
Heman Miller, Insp'r	25 00
Orrin Harris, Insp'r	50 00
John O'Rourke, sewer flusher	45 00
John A. Jefferds, sewer flusher	45 00
C. A. Jefferds, garbage contract to Aug. 1, 1879.	
E. S.	125 00
Bradley & Co., garbage contractor to Aug. 1, 1879. W. S.	150 00
M. & E. Huntington, oil	\$8 00
Union and Advertiser, printing blanks	7 50
C. H. Stun p., printing blanks	7 50
And charge that fund.	

CITY PROPERTY FUND.

I. F. Carter, carpet	\$82 62
F. J. Irwin, monthly cleaning	82 30
And charge that fund.	

PARK DEPARTMENT FUND.

F. Knapp, labor on parks to Sept. 1	\$30 00
James Edleman,	30 00
Pat. Newbombe,	30 00
Jos. Horton,	30 00
Dan. Goulding,	30 00
Mutscher Bros,	180 85
James Jordan, labor on parks	7 00
August Moderi, labor on parks	40 59
And charge that Fund.	

LAMP DEPARTMENT FUND.

Rochester Gas Co., gas and care of lamps for month of August	\$1,919 50
Goodale & Stiles, lamp burners	21 00
Sherlock & Sloan, lamp tops &c.	96 75
Citizens Gas Co., gas and care of lamps for month of August	2,340 57
Charles A. Jefferds for month of August	717 75
And charge that Fund.	

POLICE DEPARTMENT FUND.

Geo. Truesdale, Police Justice salary mo. Aug.	\$166 66
And charge that fund.	

POLICE PAY ROLL FOR AUGUST, 1879.

Alex. M'Lean	\$130 00
Samuel Brown	75 00
Peter Hughes	75 00
W. J. Rogers	75 00
Thos. Lynch	75 00
Peter Lauer, Jr.	75 00
P. C. Kavanaugh	75 00
Ferry Marzluff	75 00
Thos. A. Burchell	75 00
Caleb Pierce	75 00
Henry Baker	75 00
Jos. P. Cleary	75 00
Frank B. Allen	65 00
W. E. McArthur, 28 days	62 98
John J. Garrett, 26 days	56 42
Jacob Frank	65 00
John C. Haydon	65 00
John Wangman	65 00
Hugh Johnston	65 00
John H. Dana, 28 days	60 76
Ed. Van Vorst	65 00
Hugh Clark	65 00
John C. M'Quatters	65 00
Wm. H. White	65 00
Thos. F. Hurley, 22 days	47 74
Patrick H. Sullivan	102 00
Chas. Croumick	75 00
Jos. S. Roworth	75 00
Wm. F. Lush	65 00
Barth. Crowley	65 00
Robt. Burns	65 00
Ralph Bendon	65 00
Jacob Harter	65 00
Thos. Croumick, 28 days	62 08
Andrew Connolly	65 00
Wm. P. O'Neil	65 00
Benj. C. Further	65 00
Wm. H. Keith	65 00
John H. Wordell	65 00
B. Henschel	65 00
John Mitchell	65 00
Robt. M'Kee	65 00
Chas. E. Fowler, 28 days	60 76
Michael Brady	65 00
Wm. M'Kelvy	65 00
Joseph Legler, 28 days	60 76
Wm. H. DeWitt	65 00

Nicholas J. Loos.....	65 00
Fred. Griebel.....	65 00
Robert Sloan.....	65 00
Peter Bohrer, 30 days.....	43 40
Samuel Schwartz.....	65 00
Jas. A. Johnson.....	65 00
Thos. Dukelow.....	65 00
Park. Hctor.....	65 00
George Smita.....	65 00
Lewis Jesserer.....	65 00
Frank Vahue, 26 days.....	56 42
Michael Cain, 15 days.....	32 55
Wm. H Burgess.....	65 00
Michael Hynes.....	65 00
Chas. Hart.....	65 00
Frank D. Fay, 29 days.....	62 93
Geo. Hoffner.....	65 00
James P. Flynn.....	65 00
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove.....	65 00
Michael Wolf, Jr., 29 days.....	62 93
John M. Reis.....	65 00
Charles W. Peart, 24 days.....	52 08
Wm. Laragy, 29 days.....	62 93
Louis Noldt.....	65 00
Jerry Twaig.....	65 00
Ed. McDonough.....	65 00
Older Olver, 29 days.....	62 93
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	53 50
Daniel Gouling, Jr.....	65 00
Patrick Holloran, 29 days.....	62 93
Henry Graven.....	65 00
Chas. Sletford.....	65 00
Mich. Hyland.....	65 00
Jacob Markey.....	60 00
B. Frank Enos, Clerk of Commissioners.....	116 67

Examined and approved.
 JACOB HOWE, JR., Commissioner.
 ALEX. McLEAN, Chief Police.

Adopted by the following vote:
 Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.
 By Ald, Warren—

To the Common Council :

GENTLEMEN: Your Assessment Committee to whom was referred sundry matters would report that after investigation would report adversely on the petition of Valentine Brasch. The assessment which is asked to be cancelled became due in 1872, and was subsequently paid; therefore the Committee cannot treat it as unpaid tax, and cannot report in favor of refunding it, the charter prohibiting such action, Respectfully submitted.

E. K. WARREN,
 GEO. CHAMBERS,
 J. W. KNOBLES,
 Committee.

Adopted.

By Ald. Wickens—

To the Common Council :

Your Committee, to whom was referred the matter of altering the names of one or two streets now under the name of Lewis street, would report the name of Schlegel street for the one running from Mt. Vernon avenue in the 12th ward, to Pinnacle avenue in the 16th ward.

Therefore resolved, that the name of Lewis street, in said 12th and 17th wards, be and the same is hereby changed to Schlegel street. and the clerk enter the same on street register.

P. WICKENS,
 D. G. WEAVER,
 J. J. HART,
 Committee.

Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER

EXECUTIVE OFFICERS.

By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, Sept. 9th, 1879.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 9th day of September 1879, as required by section 59 of the City Charter:

Credit Balances.	
Contingent Fund.....	\$45,076 82
Police Fund.....	31,513 46
Lamp Fund.....	38,815 77
Poor Fund.....	27,886 39
Park Fund.....	934 41
Board of Health Fund.....	5,206 34
Home for Truants Fund.....	9 10
City Property Fund.....	3,913 15
Search Department Fund.....	637 65

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 9th day of September, 1879.

JAS. H. WILSON,
 Commissioner of Deeds.

Ordered received, filed and published

By the Clerk—

OFFICE OF WATER WORKS AND FIRE
 BOARD OF THE CITY OF ROCHESTER,
 ROCHESTER, Sept. 9, 1879. }

To the Honorable the Common Council:

GENTLEMEN: The Water Works and Fire Board herewith tender your Honorable Body an invitation to assemble at City Hall, Thursday, Sept. 18, at 2 p. m., to review, on the occasion of its annual parade and inspection, the Fire Department of the city of Rochester.

Respectfully,

C. C. WOODWORTH,
 V. FLECKENSTEIN,
 Water Works and Fire Board.

Ald. Hart moved that the invitation be accepted. Adopted.

By the Clerk—

ROCHESTER, Sept. 6, 1879.

To the Honorable the Common Council :

GENTLEMEN: You are most respectfully invited to attend the picnic of the Old 13th, at Sea Breeze Grove Thursday, Sept. 11th, 1879.

Yours respectfully,

JAS. H. WILSON, Secretary.

Ald. Hebing moved that the invitation be accepted. Adopted.

By the Clerk—

OFFICE OF THE EXECUTIVE BOARD,
 ROCHESTER, Sept. 9, 1879. }

To the Common Council of the City of Rochester :

I have the honor to transmit herewith : 1. A statement showing the expenditures of the Executive Board for all purposes during the month of August, 1879, accompanied by condensed summaries of finance budgets and weekly pay rolls. 2. A statement showing the condition, at this date, of the several funds in charge of the Executive Board, all of which please receive as official.

Respectfully your obedient servant,
 FRANCIS P. KAVANAGH,
 Clerk of the Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER,
 CITY HALL, Rochester, N. Y., Sept. 1, 1879. }

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD DURING THE MONTH OF AUGUST, 1879.

Funds Charged.	Fund.....	Amounts
Highway.....	\$4,466 55
Sidewalk Repair.....	144 92
Salary and Expense.....	850 01
State st & Lake av Sprinkling Fund.....	135 00
East Avenue, sec. 1.....	45 00
Do sec. 2.....	30 00
East and West Main Sts.....	20 00
West Avenue.....	100 00
State and Exchange sts.....	100 00
Meigs street.....	30 00

Park avenue	20 00
Clinton street	165 00
Lake avenue	13 70
Union street	20 00
Andrews street	20 00
North avenue	16 00
Hudson St. Improvement	3,510 00
East Main Street	56 00
Favor street Pipe Sewer	430 29
Helena street	86 50
Allen Street Bridge Approaches	33 69
Ringelstein alley Sewer	124 00
Putnam street sewer	343 50
Allen street Walk	60 80
Mansion street Walk	196 39

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board,
OFFICE OF EXECUTIVE BOARD,
Rochester, Sept. 1, 1879.

STATEMENT showing the condition of the several funds in charge of the Executive Board on the 31st day of August, 1879.

Debit Balances:	
City Treasurer	\$27,363 90
Sidewalk Repair Fund	1,847 85
Sundry Street Sprinkling Funds, 14 accounts	1,817 15
Hudson Street Improvement	5,046 00
E. Main Street Improvement	57 50
Favor Street Pipe Sewer	1,069 79
Helena Street Pipe Sewer	666 65
Tracy Park Opening Fund	96 50
Allen Street Bridge Approaches Fund	761 09
Allen Street Plank Sidewalk Fund	60 80
Allen Street Improvement Fund	2,208 67
Ringelstein Alley Sewer Fund	125 50
Putnam Street Pipe Sewer Fund	343 50
Mansion street Plank Walk Fund	196 39
	41,661 64

Cr. Balances:	
Highway Fund	35,652 14
Macadam Stone Fund	1,333 81
Salary and Expense Fund	4,675 69
	\$41,661 64

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.
Ordered received, filed and published.

SUMMARY OF PAYMENTS IN MONTH OF AUGUST, 1879, AS PER FINANCE BUDGETS.

<i>Highway Fund.</i>	
Weekly pay rolls—five pay rolls	\$2,414 11
George Miller, sand and gravel	35 70
C. R. Parsons, rent of dumping ground	75 00
Thomas Howe, hand-cart	20 00
George B. Harris, services—five payments	76 70
Osgood & Clark, oil and can	1 50
A. H. Kassalt, stabling horse	16 75
McConnell & Pringle, balance on sweeper	300 00
J. Emory Jones, horse-keeping and use of horse	50 00
C. F. Bauer, do	50 00
E. A. Bowen, repairs Genesee Valley canal bridge	1 50
Hollister & Co., oak lumber	633 13
F. Kreckman, scraper	15 55
Littlefield & Seifried, nails and spike	7 15
J. W. Breakey, attending Genesee Valley canal bridge	30 00
Sherlock & Sloan, fittings for steam roller	6 06
Rochester Gas Light Co., coal for	6 13
Logan & Cregan, stone	16 00
N. H. Galusha, sewer grate and repairs	2 99
J. Minges, wood for steam roller	1 75
J. Steinhauser, iron work	49 02
Valentine Brasch, fence at city yard	101 05
Whitmore, Rauber & Vicinus, stone work and paving	71 56
Cutting & Cooney, repairing sweeper	4 04
George W. Nichols, roller	1 40
C. F. Wolters, clock for office	6 00
L. Gardner, painting	7 00
Wray & Elwood, keys	1 00
H. Lochte, shovel	7 75
H. L. Fish, Superintendent Public Works, operating lift-brick	80 00
J. Emory Jones, labor and material (iron work)	384 06
Total	\$4,466 55

<i>Sidewalk Repair Fund.</i>	
L. Tumblety, erroneous assessment	\$6 17
A. Notte, printing notices	3 50
Littlefield & Seifried, nails	2 25
James Murray, labor—2 days, at \$150	3 00
Jas. H. Moore, .. 27	40 50
W. B. Davis, .. 27½	41 25

Peter Reeder	18¾	28 13
George S. Ball	6½	9 75
James Farley	7½ at \$1.25	9 37
Surplus in hands of Pay Clerk		1 00
Total		\$144 92

Salary and Expense Fund.

Heirs of Ezra Jones, E. Jones, salary	\$16 67
F. P. Kavanagh, salary	163 67
F. C. Lauer, Jr.,	166 67
Total	\$350 01

Street Sprinkling Funds.

State street and Lake avenue, pd. G. Bantel	\$135 00
Clinton street, pd. G. Bantel, contractor	163 00
West avenue,	100 00
East avenue, sec. 1, pd. A. W. Turnbull, contractor	45 00
East avenue, sec. 2, pd. A. W. Turnbull, contractor	30 00
East and West Main streets, pd. S. D. Pierce, contractor	200 00
State and Exchange sts., pd. S. D. Pierce, contractor	100 00
Meigs street, pd. J. M. Hinolf, contractor	30 00
Park avenue, pd. J. Adamson, contractor	20 00
Union street, pd. McConnell & Pringle, contractor	20 00
Andrews street, pd. McConnell & Pringle, contractor	20 00
North avenue, pd. McConnell & Pringle, contractor	16 00
Lake avenue, J. E. Barnes, repairing sprinkler	13 70
Total	\$894 70

Hudson Street Improvement.

F. C. Lauer, contractor, two estimates—	
Time orders, 1 year	\$1,150
2 years	1,150
Cash orders	1,150
John Quin, inspector, 5 payments, 30 days, at \$3	3,450 00
Total	\$3,510 00

East Main Street Improvement.

B. F. Butler, inspector, 5 payments, 28 days, \$2	56 00
<i>Favor Street Pipe Sewer.</i>	
R. & W. Williamson, repairing A. Miller's build-ings	45 20
S. M. Wadgton, painting and lettering do	6 00
B. F. Butler inspecting work, 1½ day, \$2	3 00
August Miller, loss of use of barn	8 00
P. J. McMenomy & Co., Final Estimate	368 09
Total	\$430 29

Helena Street Pipe Sewer.

E. J. O'Neil & Co., Final Estimate	\$86 50
<i>Allen Street Bridge Approaches.</i>	
R. & W. Williamson, work on house and railing	\$23 69
Sherlock & Sloan, iron pipe for railing	5 00
Total	\$33 69

Ringelstein Alley Pipe Sewer.

A. C. Bowen, Final Estimate	\$124 00
-----------------------------	----------

Putnam Street Pipe Sewer.

James D. Casey, Final Estimate	\$343 50
--------------------------------	----------

Allen Street Plank Walk.

James Purcell, Final Estimate	\$60 80
-------------------------------	---------

Mansion Street Plank Walk

W. M. Webb, Final Estimate	\$196 39
(Official.) FRANCIS P. KAVANAGH, Clerk of the Executive Board.	

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to account of Highway Fund as per Finance Budgets in the month of August, 1879, covering the time from July 25th to August 28th, inclusive:

Kind of service.	Time.	Days.	Price.	Amt.
Edwin Ames, laborer	18¼	1 00	11	25
Valentine Brasch, carpenter	18½	1 50	27	75
.. .. short in previous roll			2	87
August Burbott, common	31¼	1 00	31	25
Jacob Brown	28¾		28	75
Patrick Boze	8½		8	50
John Boylan	6		6	00
Patrick Boye	16½		16	50
Chas Bushollac	27¾		27	75
Henry Bushollac	8½		8	50

Geo Breithaupt	2 3/4	2 75
George S Ball, on sweeper	5 1 50	18 50
Patrick Boylan, common	7 1 00	7 00
P Ball	8	9 00
Fred Bahar	3	3 00
Joseph Caverish	21 1/4	21 25
Lawrence Connor	7	7 00
John Coolahan	7	7 00
James Cox	3 3/4	3 75
Daniel Cahill	9 3/4	9 75
Chris Connors	9	9 00
James Colds	1	1 00
Patrick Carroll	7 1/4	7 25
Thomas Cusick	6	6 00
John Corcoran	11	11 00
Timothy Connors	5	5 00
Jerry Corrigan	1	1 00
Dennis Callahan	1	1 00
Michael Cleary	1	1 00
Timothy Connell	2	2 00
Lewis Casper, paver	7 1 50	10 50
William Corbit, common	2 1 00	2 00
John Canpon, steam roller	1 1 50	11 25
James Daley, common	21 3/4	21 75
Martin Dolan	1	1 00
Henry Dorman	5 1/2	5 50
Andrew Dietrich	19 3/4	19 75
George Davis, paver	7 1 25	8 75
David Donovan, common	1 1 00	1 00
Joseph Friedel	30 2 00	60 00
James Farley, on sweeper	22 3/4 1 25	28 12
J Frankenberg, common	1/2 1 00	50
Samuel Fisher	6	6 00
Thos Frisholtz	3	3 00
John Flaherty	3 1/2	3 75
Michael Feeny	5	5 00
John Ford	5	5 00
John Geib	29	29 00
Jacob Geib	25 3/4	25 75
James Gosnell	5	5 00
William Gilbert	4	4 00
Dominick Gallagher	3	3 00
Oliver Gale	1	1 00
Wm Gleason	1	1 00
John Hickey	6	6 00
Joseph Harraty	12	12 00
Dani Harrington	5	5 00
John Hogan	1 1/2	1 50
Patrick Hennessey	2	2 00
Jas Holmes	1	1 00
Mich'l Hart	5	5 00
John Holzinger	4	4 00
Wm I Hanford, foreman	4 1 25	5 00
Jas Jennings, common	3 1 00	3 00
Andrew Keller	38 3/4	38 75
Martin Kilpeck	20	20 00
John Keefe	10	10 00
Adam Keller	20 3/4	20 75
Peter Klose	11	11 00
John Kavanagh, foreman	24 1/2 1 25	30 61
Thos Kanolie, common	1 1 00	4 00
John Keeney	1 1/2	1 50
John Kelly	1	1 00
Joseph Kennedy	1 1/2	1 50
Michael Kelley	2	2 00
John Knorr	6	6 00
John Leverenz, paver	7 1 25	8 75
Jas Leonard, common	1 1 00	1 00
Edward McMenomy, paver	20	30 00
Wm, McIntyre	19 1/2 1 25	24 37
John McMahon, common	19 3/4 1 00	19 75
Jas McGuire	4	4 00
Patrick McVey	5	5 00
John Mc Nerney	11	11 00
Michael Mulqueen	17	17 00
John Melton	12 3/4	12 75
Edward McMahon	6	6 00
Jerry McCourt	1	1 00
Michael McCusker	4	4 00
Michael Haley	11 1/2	11 50
Thomas McNally	14	14 00
John McCormick	7	7 00
Daniel McLaughlin	2	2 00
Michael Metzgar	1	1 00
Andrew McDonald	2	2 00
P. J. McMenomy, foreman	1 1 50	1 50
Michael Murray	3	3 00
Andrew Nolan, common	5 1 00	6 00
Phillip Neville, carpenter	1 50	10 11
Conrad Ott, common	27 1 00	27 00
Jacob Oster	18 3/4	18 75
Terence O'Brien	20 3/4	20 50
William O'Brien	5	5 00
Jerry O'Connor	1 1/2	1 50
John Pierce	6	6 00
William Pierce	1	1 00
John Pyne	8 1/2	8 50
Hugh Quin, paver	19 1/4 1 50	28 87
Matthew Quin, common	2 1/2 1 00	2 75
Edward Quinn	9 1/2	9 50
Rudolph Raski	21 1/4	21 25

Nicholas Reider	28 3/4	28 50
Jason Root	25	25 00
Patrick Rohan	1	1 00
Obed M. Rice, inspecting lumber	5 1 50	7 49
Peter Reeder, carpenter	5 1/2	8 25
Stephen Roth, common	6 3/4 1 00	6 75
John Rowland	1	1 00
Jerry Sullivan	24 3/4	24 50
Charles Stenschel	27 3/4	27 75
Wm. Sullivan	2	2 00
Michael Sullivan	14 1/4	14 25
John Schroth	18 1/2	18 50
Dennis Shehan, steam roller	19 1/4 1 50	28 87
Martin Schultz, common	15 3/4 1 00	15 75
John Stanton	7	7 00
Jerry Shannon	6	6 00
Jacob Schutler	2	2 00
Theodore Strutz, paver	2 1 50	10 50
Frederic Tupps, common	11 1 00	11 00
James Taff	5 1/2	5 50
Jerry Trent, foreman	4 1 50	6 00
Cornelius Vroman, steam roller	13 1 25	16 25
John Whiting, common	10 1 00	10 00
Thomas Wray	6	6 00
Samuel Williams, paver	8 1 50	12 00
John Wunsch, common	20 1/4 1 00	20 25
James Westbury	2	2 00
Jacob Weber	5	5 00
William Kraft, toolman	30 1 50	45 00
W J Steinhauser, Clerk	5 wks 11 54	57 70
P J Dowling, Supt of Streets	5 6	26 92
Edwin Ames, team	2 3 00	6 00
Peter Bayer	5 1/2	15 75
Chas F Bauer	11	33 00
John Barry	5 1/2	16 50
George Comons	5 1/2	16 50
George Crissy	7 1/2	21 00
John Eisenhaner	16	48 00
Joseph Eble	14 1/4	42 75
Benjamin Fischer	13 3/4	40 50
Henry H Cram	10	30 00
John Curtin	2	6 00
Peter Egan	23 3/4	70 50
John Kennedy	13 1/2	40 50
Dennis Kelly	12 1/2	31 00
Peter Oliver	16 1/2	49 50
John Roche	7	21 00
Patrick Rossney	19	57 00
John Slattery	7 1/2	22 50
John Smith	10	30 00
John Stuppe	11 1/4	33 75
Frank Ward	3	9 00
John Armsstrong	12 3/4	37 50
James W. Breakey, on sweeper	14 2 00	28 00
George Nicholas	1 3 00	3 00
John Bickert	2 1/2	7 50
Henry Seitz	3	9 00
Michael Miller	8 1/2	25 50
Martin May	3	9 00

Total .. \$2,414 11
 (Official.) FRANCIS P. KAVANAGH,
 Clerk of Executive Board.

By the Clerk—
 OFFICE OF WATER WORKS AND FIRE BOARD OF THE CITY OF ROCHESTER, ROCHESTER, N. Y., Sept. 1, 1879.

To the Common Council of the City of Rochester:

I transmit herewith, as required by law, statement showing expenditures in the month of August, 1879, and the condition of the several funds in charge of this Board at this date. Respectfully your obedient servant,
 V. FLECKENSTEIN, Clerk.

WATER WORKS AND FIRE BOARD
 OFFICE CITY HALL, Sept. 1, 1879.

Detailed Statement of Pay Rolls included in Finance Budgets of this Board, passed in month of August, 1879:

	SERVICE, REPAIRS, &c., AUG. 2, 1879.	Days.	Rate.	Am't.
E. A. Maher	1 wk	1	\$12 00	
P. C. Fleming	1 "	1	12 00	
J. King	1 "	1	10 50	
L. T. Lidster	1 "	1	10 50	
F. Curran	1 "	1	10 50	
W. McKenna	1 "	1	9 00	
W. Fogarty	6 "	6	\$1 50	9 00
H. Webber	6 "	6	9 00	
J. Gallagher	6 "	6	9 00	
P. McKenna	6 1 25	6	7 50	
P. Leck	6 "	6	7 50	
E. Farley	2 1 50	2	8 00	

M. Mulvey.....	6	1 00	6 00
P. Vernam.....	6	..	6 00
J. Barry.....	6	..	6 00
Jas. Sullivan.....	2	..	2 00
P. Hardy, team.....	½	3 00	1 50
S. E. Armstrong.....	6	2 00	12 00
			\$143 00

Distributing Reservoir.

August 2, 1879.			
Robert Long.....	5½	1 50	8 25
John Costello.....	5½	1 00	5 50
H. O'Hara.....	1	1 25	1 25
James McIntosh.....	4	1 00	4 00
E. Stevenson.....	4	..	4 00
Robert Quinn.....	5	..	5 00
James Halpy.....	3½	..	3 50
Patrick Murray.....	5	..	5 00
John Stanton.....	4	..	4 00
John Daly.....	4	..	4 00
John Logan.....	4½	..	4 50
James Sullivan.....	½	1 25	1 25
Walter Long.....	5	50	2 50
John Ford.....	5	1 00	5 00
Michael Hart.....	5	..	5 00
Michael Farley.....	5	..	5 00
David Donovan.....	5	..	5 00
J. Kirkpatrick.....	5	1 00	5 00
A. Curtin.....	5	..	5 00
B. Holley.....	2	3 00	6 00
W. McCarthy.....	2	1 50	3 00

Conduit Line.

August 2, 1879.			
B. F. Baker.....	1	1 25	1 25
P. Bray.....	1	..	1 25
Geo. Telford.....	1	..	1 25
C. Hawes and horse.....	1	1 50	1 50

Service, Repairs, &c.

August 8, 1879.			
E. A. Maher.....	1 wk	..	12 00
P. C. Fleming.....	1	..	12 00
J. King.....	1	..	10 50
L. T. Lidster.....	1	..	10 50
F. Curran.....	1	..	10 50
F. McKenna.....	1	..	9 00
W. Fogarty.....	5	1 50	7 50
H. Weber.....	6	..	9 00
J. Gallagher.....	7	..	10 50
P. McKanna.....	7½	1 25	9 38
P. Leck.....	5½	..	7 50
M. Mulvey.....	5½	1 00	5 50
P. Vernam.....	6	..	6 00
J. Barry.....	6	..	6 00
P. Boyle.....	3	..	3 00
James Carter.....	2	..	2 00
S. E. Armstrong.....	4	2 00	8 00

Distributing Reservoir.

August 8, 1879.			
Robert Long, in July.....	2	1 50	3 00
J. Costello.....	2	1 00	2 00
J. McIntosh.....	2	..	2 00
E. Stevenson.....	2	..	2 00
R. Quinn.....	2	..	2 00
P. Murray.....	2	..	2 00
J. Stanton.....	2	..	2 00
J. Daly.....	2½	1 50	1 50
J. Ford.....	2	..	2 00
M. Hart.....	2	..	2 00
M. Farley.....	2	..	2 00
D. Donovan.....	2	..	2 00
J. Kirkpatrick.....	2	..	2 00
A. Curtin.....	2	..	2 00
W. Long.....	2	50	1 00

Distributing Reservoir.

August 8, 1879.			
Robert Long.....	6	1 50	9 00
John Costello.....	6	..	6 00
Jas. McIntosh.....	6	..	6 00
Jas. Haley.....	3½	..	3 50
E. Stevenson.....	2	..	2 00
Robert Quinn.....	3½	..	3 50
Patrick Murray.....	6	..	6 00
Jno. Stanton.....	6	..	6 00
John Dailey.....	6	..	6 00
John Logan.....	2	..	2 00
Jas. Sullivan.....	4	..	4 00
John Ford.....	6	..	6 00
M. Hart.....	5	..	5 00
Jas. Kirkpatrick.....	6	..	6 00
Andrew Curtin.....	6	..	6 00
W. Long.....	6	50	3 00
M. Farley.....	6	1 00	6 00
H. McCarthy.....	6	1 50	9 00
D. Donovan.....	6	1 00	6 00

Water Pipe Fund.

August 8, 1879.			
B. Holley.....	5	3 00	15 00
G. A. Hotchkim.....	4	1 75	7 00
W. Fogarty.....	1	1 50	1 50
			\$23 00

Service, Repairs, &c.

August 14, 1879.			
E. A. Maher.....	1 day	..	1 71
P. C. Fleming.....	1	..	12 00
J. King.....	1	..	10 50
L. T. Lidster.....	1	..	10 50
F. Curran.....	1	..	10 50
H. Weber.....	1	..	9 00
F. McKenna.....	1	..	9 00
J. Gallagher.....	6	..	9 00
P. McKanna.....	6	..	7 50
P. Leck.....	6	..	7 50
E. Farley.....	4	..	5 00
M. Mulvey.....	6	..	6 00
P. Vernam.....	3	..	3 00
J. Barry.....	3	..	3 00
D. Cahill.....	2	..	2 00

Distributing Reservoir.

August 14, 1879.			
Robt. Long.....	4	..	6 00
E. Stevenson.....	4	..	4 00
W. McCarthy.....	7	..	10 50

Hemlock Lake.

August 14, 1879.			
Chas. Connors.....	2¼	1 75	3 93
Ort. Connors.....	2¼	1 75	3 94
J. Ingelby.....	2¼	1 75	3 93
M. Ingelby.....	2¼	1 75	3 94

Water Pipe Fund.

August 14, 1879.			
B. Holley.....	2½	..	7 50
G. A. Hotchkim.....	6	..	10 50
W. Fogarty.....	6	..	9 00
E. A. Maher.....	5	..	10 00

Service Repairs, &c.

August 21, 1879.			
E. A. Maher.....	1 week	..	6 29
P. C. Fleming.....	1	..	12 00
John King.....	1	..	10 50
L. T. Lidster.....	1	..	10 50
F. Curran.....	1	..	10 50
F. McKenna.....	1	..	9 00
H. Weber.....	1	..	9 00
J. Gallagher.....	6½	1 25	8 13
F. McKenna.....	6½	1 25	8 12
P. Leck.....	6	1 25	7 50
E. Farley.....	6½	1 50	9 75
M. Mulvey.....	6	1 00	6 00
P. Boyle.....	4	1 00	4 00
W. McIntyre.....	3	1 25	3 75
Dan. Cahill.....	3	1 00	3 00
E. Kelly.....	1½	1 25	1 88

Dist. Reservoir.

August 21, 1879.			
Robert Long.....	5	1 50	7 50
E. Stevenson.....	3	1 00	3 00
R. Mann.....	3½	1 00	3 50
R. Mann, team.....	¼	3 00	2 25

Hemlock Lake.

August 21, 1879.			
Charles Connors.....	6	1 25	7 50
Orson Connors.....	4	1 25	5 00
James W. Lewis.....	3	1 25	3 75
John Stillwell.....	2	1 25	2 50
Wm. Proctor.....	2	25	50

Water Pipe Fund.

August 21, 1879.			
Byron Holley.....	4	3 00	12 00
G. A. Hotchkim.....	3	1 75	10 50
W. Fogarty.....	5	1 50	7 50
E. A. Maher.....	3	2 00	6 00
W. McCarthy.....	3	1 50	4 50

Service, Repairs, Etc.

August 28, 1879.			
E. A. Maher.....	½ week	..	6 00
P. C. Fleming.....	1	..	12 00
J. King.....	1	..	10 50
L. T. Lidster.....	1	..	10 50
F. Curran.....	1	..	10 50
F. McKenna.....	1	..	9 00
H. Weber.....	1	..	9 00
J. Gallagher.....	6-8-10	1 25	7 88
P. McKanna.....	6-8-10	..	7 87
P. Leck.....	6-8-10	..	7 88
E. Farley.....	6-8-10	1 50	9 45
Charles French.....	3	1 25	3 75
George Smith.....	2	1 00	2 00

Distributing Reservoir.
 August 28, 1879.
 Robert Long..... 6 1 50 9 00
 E. Stevenson..... 4 1 00 4 00
 R. Mann..... 4 .. 4 00

Hemlock Lake.
 August 28, 1879.
 C. Connors..... 4½ 5 62
 W. Proctor..... 4½ 2 25
 Express charges..... 50
 Difference in exchange of stoves 13 00

Conduit Line.
 August 28, 1879.
 B. F. Baker, Honeoye Falls..... 4 1 25 5 00
 L. Brown..... 1 .. 1 00
 D. Broughton..... 1 .. 1 00
 G. Telford..... 1 .. 1 00
 J. Spellman..... 1 .. 1 00
 M. Spellman..... 1 .. 1 00
 George Brown..... 1 .. 1 00
 M. Tyrrell..... 1 .. 1 00
 C. Hawes..... 1 .. 1 00
 .. horse and wagon..... 2 1 50 3 00

CONDUIT LINE—RICHMONDMILLS STATION.

Aug. 28, 1879.
 Wm Thompson, 26 days \$1 25..... \$32 50
 E Coyne, 5½ 6 56
 Thomas Blair, 5¼ 71 8
 C Crandall, 3¾ 4 68
 F Hutchinson, 3¾ 4 68
 E W Oviatt, 14½ 17 50
 S. H. Oviatt, horse keeping, &c..... 8 90
 W Brown 2 .. \$1 75..... 3 50
 E. Coyne, 1 1 75

MONTHLY PAY ROLL—OPERATING EXPENSES.

Aug. 28, 1879.
 J. N. Tubbs, Chief Engineer, 1 month..... \$158 33
 E. Kuchling, Assistant Engineer, 1 month..... 133 33
 T. J. Neville, Clerk, 1 month..... 100 00
 C. A. Padley, Receiver, 1 month..... 75 00
 T. H. Rogers, Assistant Receiver, 1 month..... 55 00
 W. N. Tubbs, Clerk, 1 month..... 40 00
 L. M. Mandeville, Clerk, 1 month..... 50 00
 S. C. McKay, Supt. of Repairs, 1 month..... 90 00
 Henry C. Smith, Engineer, 1 month..... 75 00
 P. J. Healey, Helper, 1 month..... 45 00
 P. J. McCracken, Helper, 1 month..... 45 00
 D. S. Almstead, Keeper D. Res., 1 month..... 50 00
 C. W. Almstead, Keeper D. Res., 1 month..... 40 00
 Alexander Gray, Keeper S. Res., 1 month..... 40 00
 T. M. Blossom, Keeper H. Lake, 1 month..... 40 00
 Robert Crennell, Overseer C. Line, 1 month..... 60 00
 S. H. Oviatt, Overseer C. Line, 1 month..... 60 00

WATER PIPE FUND.

Aug. 28, 1879.
 Byron Holley, 3½ days \$3 00..... \$10 50
 G. A. Hotchkinn, 6 .. 1 75..... 10 50
 E. A. Maher, 3 .. 2 00..... 6 00
 S. E. Armstrong, 4½ .. 2 00..... 9 00
 W. McCarthy, 6 .. 1 50..... 9 00
 W. Fogarty, 6 .. 1 50..... 9 00

FIRE DEPARTMENT FUND.

MONTHLY PAY ROLL, AUGUST 28, 1879,

Joseph Ringelstein, Hook and Ladder No. 1 .. \$25 00
 Anthony Andrews 16 66
 Frank Huck, 16 66
 Andrew Hartel, 16 66
 Jas J. Crouch, 16 66
 J. McMullen, 16 66
 F. A. Croft, 16 66
 W. Fogarty, 16 66
 E. O'Loughlin, hoseman No. 1 .. 16 66
 E. Goggin, 16 66
 W. T. Fox, 16 66
 J. B. Teiler, No. 2 16 66
 Geo. Schieber, 16 66
 Jas. McKay, 16 66
 Geo. Miller, No. 3 16 66
 J. L. Whalen, 16 66
 W. McNeiss, 16 66
 F. C. Whitbeck, No. 4 16 66
 Leo White, 16 66
 Wm. Bohan, 16 66
 T. Whitley, Hook and Ladder No. 2 16 66
 J. B. Haggerty, 16 66
 J. Miller, 16 66
 J. Colbert, 16 66
 Jas. Leonard, hoseman 16 66
 P. J. Hartel, station man, No. 1 60 00
 N. Lambert, 50 00
 J. Bauer, 50 00

Thos Cole, 50 00
 Frank A Jaynes, No. 2 55 00
 Charles Weaver, 50 00
 E. H. Mix, 50 00
 J. P. Topham, No. 3 60 00
 C. Armstrong, 50 00
 J. McCormick, 50 00
 Charles Little, 50 00
 Sam'l Bemish, No. 4 55 00
 Bernard Kearney, 50 00
 Owen Lynch, 50 00
 George E. Baker, 50 00
 Thos Rice, H. & L. No. 1 50 00
 E. H. Roark, 50 00
 James Snider, 41 00
 P. O'Meara, 50 00
 J. E. Finzer, 50 00
 Edmund Barker, 50 00
 Jerome P Dowd, Chemical Eng. 60 00
 Nicholas Oldfield 60 00
 R. Pendlebury 50 00
 Wm Boon H. & L. 2. 60 00
 Danl O'Neil 55 00
 M S Butler 50 00
 Frank Spears 50 00
 Chas Schafer 50 00
 B F Blackall, Supt. F. A. Telegraph..... \$112 50
 L S Gibson, Chief Engineer..... 120 00
 J Malcomb, Assistant 27 00
 J Plunkett, 27 00
 J P Foreman, Sup't Hose Dept 60 00

Total..... \$2,282 34
 Less amt advanced 10 00
 \$2,272 34

CITY OF ROCHESTER, OFFICE OF WATER WORKS AND FIRE BOARD, CITY HALL, ROCHESTER, N. Y., Sept. 1, 1879.

STATEMENT OF EXPENDITURES BY THE WATER WORKS AND FIRE BOARD IN AUGUST, 1879, AND THE CONDITION OF THE FUNDS IN CHARGE OF THE BOARD AT THIS DATE:
 EXPENDITURES.
 Total amount Charged Water Works Fund..... \$3,517 53
 Water Pipe Fund..... 11,653 99
 Fire Department Fund 3,070 21
 Total \$18,241 73

CONDITION OF FUNDS.

Water Works Fund, Cr. Balance, \$ 1,174 47
 Water Pipe Fund, 18,471 27
 Water Works Special Fund, 1,515 47
 Fire Department Fund, 32,801 06

City Treasurer, Dr. Balance..... \$53,962 27 \$53,962 27
 [Official.] V. FLECKENSTEIN,
 Clerk of Water Works and Fire Board.

Ordered received, filed and published.

WATER WORKS AND FIRE BOARD OFFICE, City Hall, Sept. 1, 1879.

DETAILED STATEMENT

Of Expenditures by the Water Works and Fire Board during the month of August, 1879.
 Water Works Fund—Finance Budget.

August 2.
 Weekly pay roll, service and repairs.. \$ 143 00
 dist. reservoir..... 91 75
 Albert Hochstetter, carexoneous assm't 56 92
 T J Neville, office dis' monts..... 15 35
 Geo. B. Harris, labor, office..... 9 59
 N Y C & H R R R Co, transportation.. 70
 N Y L E & W R R Co, 1 22
 G A Hotchkinn services..... 5 25

August 8.
 Weekly pay roll, service and repairs.. \$ 198 88
 dist reservoir..... 130 50
 Geo B Harris, labor in office..... 9 59
 Charles W Almstead, bal on salary..... 5 00
 J B Coleman, repairs..... 8 75
 J Nelson Tubbs, expenses in law suit..... 63 97
 Western Union Tel Co, telegraphing... 1 00
 M A Warren, livery for telegraph..... 10 00
 L Schmitt, horse shoeing and repairs.. 19 40
 Geo E Miller, wood 5 25
 Sherlock & Sloan, fittings..... 9 73
 Express Printing Co, printing..... 11 50
 E B Andrews, 3 75
 Creed & Wilson, binding..... 1 00
 F Tully, repairing pump 7 75
 Drew, Allis & Co, directory..... 3 00
 H S Allis, charcoal..... 2 70
 J B West, meter..... 8 00
 Union Meter Co, meter 52 00
 Bell Telephone Co, rental of inst'mnt 40 00

August 15.

Weekly pay roll, service repairs; &c..\$	106 71
.. .. dist reservoir.....	20 50
.. .. Hemlock Lake.....	15 74
.. .. conduit line.....	5 25
Ludlow Valve Mfg Co, valve stems &c	31 93
Joseph Yawman, erroneous assessm't	45 53
L L Nichols, services.....	3 90
Geo B Harris, labor in office.....	9 59
Whitmore, Rauber & Vicinus, labor &	
material.....	71 55
O C French, 2 Ludlow valves.....	16 00
H Westbrook, cartage of coal.....	12 80
Thos J Neville, postage stamps.....	10 00
W H Gilman, rep pump house.....	8 00
D W James.....	30 00
Express Printing Co, printing.....	12 50
A M Semple, brooms and matches.....	1 50
Osgood & Clark, paint, &c.....	1 10

August 22.

Weekly pay roll, service repairs, &c..	110 92
.. .. dist reservoir.....	16 25
.. .. Hemlock Lake.....	19 25
T J Neville, office disbursements	9 54
M A Warren, livery.....	7 50
H S Allis, charcoal.....	1 62
Wray & Elwood, rep to bell.....	90
A H Kasseall, stabling.....	36 00
J C Barnard, duster.....	40
Geo B Harris, labor in office.....	9 59

August 23.

Monthly pay roll, engineers, clerks,	1,156 66
&c.....	106 33
Weekly pay roll, service rep, &c.....	17 00
.. .. dist reservoir.....	21 37
.. .. Hemlock Lake.....	104 00
Monthly Conduit Line.....	75 00
J Nelson Tubbs, advanced Aug. 13,	100 00
expenses in law suits.....	9 59
Geo B Harris, labor in office.....	100 00
A E Hartman, acct building house.....	1 85
J Salwachter, blacksmithing.....	13 00
E Kulchling, horse hire.....	3 00
Philip Hartel, work at dist reservoir..	3 93
A M Semple, oil.....	60
Wray & Elwood, bell cranks.....	1 00
Howe & Snyder, plumbing.....	166 67
C C Woodworth, salary.....	166 67
V Fleckenstein.....	

Total payments from W W Fund... \$3,517 53

Water Pipe Fund—Finance Budgets.

August 2.

N Y C & H R R R Co, freight on pipe..	30 00
N Y L E & W R R Co .. hydrants.....	21 59
Byron Holley, engineering services..	12 00
W A Anderson, inspecting pipe.....	88 57

August 8.

N Y C & H R R R Co, freight on pipe....	22 50
Pay roll.....	23 50
Western Union Tel Co, telegraphing...	1 55

August 15.

Drullard & Hayes, 13 car loads pipe... 3,489 54	
Ludlow Valve Mfg Co, 23 stop valves..... 492 82	
Whitmore, Rauber & Vicinus, labor and material..... 26 08	
Whitmore, Rauber & Vicinus, estimate E Main st..... 271 63	
N Y C & H R R R Co, freight on pipe and valves..... 51 23	
Water Works fund, labor and expenses..... 23 73	
Weekly pay roll, labor, inspectors, &c..... 37 00	

August 22.

N Y C & H R R R Co, freight on pipe....	52 50
Weekly pay roll, labor, inspectors, &c.	40 50
J Cawthra, repairing wagon.....	40 00

August 23.

F O Lauer, estimate Group 46.....	280 00
D Clancy, do do.....	950 00
Weekly pay roll, labor, inspectors, &c.	54 00
S J Wagener, delivering pipe.....	156 60
J McMahon, do do.....	52 00
E Kulchling, car fare, &c.....	14 55
Byron Holley, do.....	2 15
R D Wood & Co, bill hydrants.....	1,636 82
Drullard & Hayes, bill pipe.....	3,710 68
N Y C & H R R R Co, freight on pipe....	52 50

Total payments from Water Pipe Fund... \$11,653 99

Fire Department Fund—Finance Budget.

August 2.

L S Gibson, hay.....	\$ 13 49
Teller & Joy, repairs building.....	6 94

August 8.

Rochester Gas Light Co, gas.....	10 50
Gamehall F A Tel Co, tel signal box...	125 00
Snedeker & Boynton, oiled covers...	83 50
Active Hose Co, advance.....	150 00
John Siddons, repairing buildings.....	12 44
E Hand, repairing chemical engine....	12 00
Robbins, Willis & Co, lumber.....	2 97
Sherlock & Sloan, gas fitting.....	13 50
L S Gibson, washing.....	3 50
Drew, Allis & Co, directory.....	3 00
H O Norton, hay and straw.....	3 9,

August 15.

Mutschler Brothers, water coolers.....	\$ 7 20
Water Works Fund, disbursements....	4 43
Thomas Brooks, repairing harness.....	11 96

August 22.

Protectives S. & B. Co., balance appro-	
priation.....	50 00
T J Neville, disbursements.....	4 00
J E Dowd, repairing apparatus.....	24 00
Wray & Elwood, locks.....	35
A S Mann & Co, cloth.....	102 50
L W Wehn, hay and straw.....	43 44

August 23.

L S Gibson, hay.....	43 72
Sargent & Greenleaf, castings.....	1 60
E Grimbale, blacksmithing.....	10 00
Geo B Page & Son, harness.....	25 00
Howe & Snyder, plumbing.....	25 49
Monthly pay roll, pay of Dep't.....	2,272 34

Total payments from Fire Dep't Fund. \$3,070 21

ACTION ON ORDINANCES.

CITY TREASURER'S OFFICE,
ROCHESTER, Sept. 9, 1879. }

To the Hon. the Common Council:
GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,075, for Putnam street sewer, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$343.50.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,075.
PUTNAM STREET SEWER.

Whereas, The Common Council did upon the 1st day of July, 1879, enact an ordinance for Putnam street sewer.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$343.50, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Putnam street from a point 122 feet north of Helena street to Foehner street.

Therefore, Resolved, That the sum of \$343.50, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 13th day of Sept., 1879, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chase, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept. 9th, 1879. }

To the Honorable the Common Council of the City of Rochester:
GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2054, for Ringelstein alley sewer has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$125.50.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT, ASSESSMENT NO. 2,074.

Whereas, The Common Council did upon the 24th day of June, 1879, enact an ordinance for pipe sewer in Ringstein alley.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$125.50, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Ringstein alley from Shamrock street to a point 182 feet east therefrom.

Therefore, Resolved, That the sum of \$125.50, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 13th day of September, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept. 9, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,040, for Allen street improvement, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$2517.93.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2040.

ALLEN STREET IMPROVEMENT.

Whereas, The Common Council did upon the 7th day of January, 1879, enact an ordinance for the improvement of Allen street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$2517.93, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

One tier of lots on each side of Allen street from the west line of Platt street to the east line of Litchfield street.

Therefore, Resolved, That the sum of \$2517.93, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 13th day of September, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chamber, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, Sept. 9th, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2076, for Allen street plank walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$60.80.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,076.

ALLEN STREET PLANK WALK.

Whereas, The Common Council did upon the 1st day of July, 1879, enact an ordinance for plank walk on Allen street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$60.80, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the south side of Allen street from Canal street to Litchfield street.

Therefore, Resolved, That the sum of \$60.80, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said City so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 13th day of September, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chamber, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept 9th, 1879. }

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,039, for Allen street bridge approaches has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$753.09.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,039.

Whereas, The Common Council did upon the 7th day of January, 1879, enact an ordinance for grading the approaches to Allen street bridge.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$753.09, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land commencing at the intersection of Allen street with the west line of State street; and including one tier of lots on the west side thereof, to a point opposite the south line of Mumford street; thence easterly along Mumford street, and including one tier of lots on the south side thereof, to the Genesee river; thence northerly along the Genesee river to a point in line with the north line of Platt street, thence westerly on the north line of Platt street produced to the Genesee river to Mill street; thence still westerly along Platt street, and including one tier of lots on the north side thereof, from Mill street to Allen street; thence westerly along Allen street, and including one tier of lots on the north side thereof, to Brown street; thence westerly along Brown street to Clark street; thence northerly along Clark street, and including one tier of lots on the east side thereof, to Grape street at Campbell street; thence westerly along the north line of Campbell street and in said line continued, including one tier of lots on the north side thereof, to the west line of the city; thence southerly along the west line of the city to the Buffalo branch of the New York Central & Hudson River Railroad; thence easterly along said railroad to Brown street; thence easterly along Brown street to Allen street; thence easterly along Allen street, and including one tier of lots on the south side thereof to the place of beginning.

Therefore, Resolved, That the sum of \$753.09, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this pur-

pose on Saturday, the 13th day of Sept., 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

PLANK WALK ON ORANGE STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a four-foot plank walk on the south side of Orange street, from Ames street to a point 263 feet west thereof.

Adopted.

The Surveyor submitted as such estimate, \$66.

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

The construction of a four-foot plank walk on the south side of Orange street, from Ames street to a point 263 feet west thereof.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$66, which estimate is hereby approved.

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

One tier of lots on the south side of Orange street, from Ames street to a point 263 feet west thereof.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, September 23d, 1879, at half past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PIPE SEWER IN WHITNEY STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a pipe sewer 12 inches in diameter in Whitney street, from a point 120 feet south of Smith street to the sewer in Smith street; also the necessary surface sewers and lot laterals.

Adopted.

The Surveyor submitted as such estimate \$220.

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

The construction of a pipe sewer 12 inches in diameter in Whitney street, from a point 120 feet south of Smith street to the sewer in Smith street; also the necessary surface sewers and lot laterals.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$220, which estimate is hereby approved.

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

One tier of lots on each side of Whitney street, from Smith street to a point 120 feet south thereof.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. 23d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

STONE SEWER IN BROWN STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a stone sewer 1½ feet by 2 feet, in Brown street from the present west end of the Brown street sewer to the north line of West avenue. Also the necessary surface sewers, lot laterals and manholes.

Adopted.

The Surveyor submitted as such estimate \$3,400.

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

The construction of a stone sewer 1½ feet by 2 feet in Brown street, from the present west end of Brown street sewer to the north line of West avenue. Also the necessary surface sewers, lot laterals and manholes.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$3,400, which estimate is hereby approved.

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

One tier of lots on each side of Brown street from the east line of South Orchard street to a point where the proposed sewer intersects with the north line of West avenue.

And further, Resolved, that the tax payers to be assessed for making such improvement may pay their

assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of said roll. On all sums paid prior to the maturity of said last installment, a discount will be allowed of seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Sept. 23, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

The final ordinance for a sewer in Hunter street, came up. After allegations being heard, Alderman Edelman moved that the ordinance lie on the table until the next meeting. Adopted.

UNFINISHED BUSINESS.

The final ordinance for a stone sewer in Campbell st. was presented.

Ald. Warren moved that the ordinance be amended by inserting the word "tile." Adopted.

The final ordinance for the opening and extension of Rowe st. was taken from the table.

Ald. Knobles moved that the ordinance be indefinitely postponed. Adopted.

The final ordinance for the opening and extension of Goodman st. came up.

Ald. Hart presented a remonstrance against the same.

Ald. Hebing moved that the matter lie on the table for two weeks.

Lost by the following vote:

Ayes—Ald. Tracy, Hebing, Hart—3.
Nays—Ald. FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—13.

The final ordinance for the opening and extension of Goodman st. was lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Mandeville, Vay, Wickens, Weaver—11.

Nays—Ald. Hebing, Chace, Edelman, Knobles, Hart—5.

The final ordinance in relation to bootblacks and newsboys came up.

Ald. Hart moved that the ordinance be indefinitely postponed.

Lost by the following vote:

Ayes—Ald. FitzSimons, Chace, Wickens, Hart—4.

Nays—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Edelman, Weaver, Knobles—12.

Ald. Westbury moved that the ordinance be adopted.

Ald. Vay moved as an amendment that the fees collected be not to exceed the cost of the badge.

Ald. Weaver moved that the whole matter be indefinitely postponed.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—11.

Nays—Ald. Tracy, Westbury, Otis, Crouch, Chace—5.

The matter of the claim of John B. Arkland for damages against the city came up.

Ald. Hebing moved that the matter be laid on the table until the next meeting.

Ald. Westbury in the Chair.

Lost by the following vote:

Ayes — Ald. Tracy, Westbury, Hebing, Crouch, Edelman, Knobles—6.

Nays — Ald. FitzSimons, Otis, Warren, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Hart—10.

Ald. Chace moved that the whole matter be indefinitely postponed. Adopted.

The City Attorney was heard.

Ald. Otis called up the following resolution :

By Ald. Mandeville—

Resolved, That the Finance Committee be and they are hereby authorized to employ a suitable person to ascertain who are selling spirituous or malt liquors without Excise Licenses, and to see that they pay licenses or stop the illegal sale.

The President ruled the resolution out of order.

Ald. Hebing moved that the resolution be referred to the Law Committee. Adopted.

Ald. Hebing moved that the words "Finance Committee" be stricken from the resolution and that of Excise Commissioners inserted.

By Ald. Hart—

ROCHESTER, Sept. 1, 1879.

DEAR SIR: The undersigned respectfully represent that a large number of persons in this city who are entitled to license under the Excise law omit, and have omitted for some time past, to procure them as required by law. This is manifestly a great injustice to those who have complied with the statute and procured their license, besides tending to considerable loss to the poor fund. We have, as a board, no funds applicable to the proper enforcement of the law, and we therefore call your attention to this matter, believing you will take such action in the matter as its importance would seem to demand, and speedily bring it before the Common Council.

Respectfully yours,

Excise Board of the City of Rochester,
PARIS G. CLARK, Secretary.

To Jacob J. Hart, Esq., Chairman of Police and Excise Committees.

The motion to strike out "Finance Committee" and insert "Excise Commissioners" was adopted by the following vote:

Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—8.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

The original resolution as amended was adopted by the following vote:

Ayes—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—8.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville Vay, Wickens, Weaver—7.

MISCELLANEOUS.

By Ald. Chambers—Petition for sewer in Brown street. Referred to the sewer committee.

Ald. Crouch moved that the resolution in regard to the American Union Telegraph Company, adopted Aug. 26th, 1879, be reconsidered. Adopted.

By Ald. Crouch—

To the Hon. Common Council:

GENTLEMEN: The committee on the matter of permitting the A. U. Telegraph Company to erect telegraph poles in certain streets of this city, reported in favor of permitting the

company to erect poles in the following streets, and offer the following resolution:

Resolved, That the American Union Telegraph Company be permitted to erect their line of telegraph upon the following streets: From the east via Monroe avenue to Jackson street, Jackson street to St. Paul street, St. Paul street to Court street, across Court street bridge to Exchange street, Exchange street to Aqueduct street, Aqueduct street to West Main street; back on same poles to Spring street, Spring street to Plymouth avenue, through Plymouth avenue to West Main street, through West Main street to Canal street, through Canal street to West Maple street, through West Maple street to the Buffalo road.

C. T. CROUCH,
D. H. WESTBURY,
Committee.

Ald. FitzSimons moved that the resolution be amended by adding "providing the consent of the property owners can be obtained." Adopted.

The original resolution as amended was then adopted.

By Ald. Crouch—Resolved, That the bakers' who have been furnishing bread to the city be paid as originally presented and that the Clerk is instructed to draw orders in favor of the claimants for the balance due each one.

Ald. Crouch moved that the resolution be referred to the Law Committee.

Ald. Hart moved that the matter be indefinitely postponed. Adopted.

By Ald. Hebing—Petition of Thos. Moulson for permission to erect a wood building, and moved that permission be granted. Adopted.

By Ald. Chace—Petition to lay water mains in Glenwood avenue. Referred to Water Works Committee.

Also petition to abate a nuisance in the 9th ward. Referred to Sewer Committee and City Surveyor.

By Ald. Warren—Whereas, Lots No. 10, 14 and 15, parts of the Greig Tract, Plymouth avenue, Third Ward, was assessed for the General City Tax, for 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Sept. 9th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$61.40, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., September 9th, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to David Clancey, viz.:

Lots No. 10, 14 and 15, part, in the Greig tract, east side of Plymouth avenue, Third Ward, 132 feet front, 80 feet rear, and 94 feet deep, and that the owner of said property should pay as his portion of the General City Tax for 1878, the sum of \$61.40 upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., Sept. 9th, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots No. 10, 14 and 15, of the Greig Tract, Plymouth avenue, Third Ward, were assessed for the General City Tax for the year 1878 under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Sept. 9th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$54.49, with expenses and interest, in pursuance of said certificate.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., Sept. 9th, 1879. }

George D. Williams, Treasurer :

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to David Clancy, viz: Lots Nos. 10, 14 and 15, parts of the Greig Tract, east side of Plymouth avenue, Third Ward, 132 feet front, 80 feet rear, and 94 feet deep, and that the owner of said property should pay as his portion of the General City Tax for the year 1879 the sum of \$54.49, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY, AUGUSTUS M. KOETH, WM. MAHAR, Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., Sept. 9, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Whereas, Lots Nos. 29 and 30, sec. A, of the Bush and King tract, 6th Ward, was assessed for the General City Tax for the year 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated Sept. 9th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$57.55, with expenses and interest, in pursuance of said certificate.

Adopted. [COPY.]

CITY ASSESSOR'S OFFICE, }
ROCHESTER, N. Y., Sep. 9th, 1879. }

George D. Williams, Treasurer :

SIR : We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to Jacob Wittman, viz :

Lot No. 35, Sec. A, Bush & King Tract, East side of Francis street, 8th Ward, 50 feet front, and 40 feet rear, and 124 feet deep and that the owner of said property should pay as his portion of the General City Tax for the year 1879 the sum of \$37.55, upon the payment of which, with expenses and interest, will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY, AUGUSTUS M. KOETH, WM. MAHER, Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., Sept. 9th, 1879 }

(A true copy.) GEO. D. WILLIAMS, Treasurer

Adopted.
By Ald. Otis—Resolved, That the City Surveyor be requested to prepare an ordinance for an outlet sewer on the east side of the Genesee River, said outlet sewer to be designed for the purpose of cutting off all sewers which now drain into the country, and carrying such sewage matter into the Genesee River.

Adopted.
By Ald. Westbury—Petition to lay gas mains in Tremont street, and moved that the Rochester Gas Company be requested to lay gas mains in said street. Adopted.

By Ald. Fitz Simons—Resolved, That ex-City Attorney Perkins be directed to take such action as may be necessary to collect the amount of the judgment recovered against John Montgomery in the case of the city of Rochester against said Montgomery. Adopted.

By Ald. Fitz Simons:

Whereas, The Map and Survey Department of this city is equipped with a full corps of competent engineers and surveyors, who are

supplied with all the necessary instruments and material used by the craft, at the city's expense, and whereas the maintenance of a similar and separate department by the Fire and Water Board is an extravagance which is not authorized by the city charter nor contemplated by any of its amendments; therefore

Resolved, That the Fire and Water Board be requested and required to turn over to the City Surveyor all maps, charts, drawings, statistics, instruments and material belonging to or in use by the engineering department or bureau under control of the said fire and water board, and to discontinue the said department or bureau, and that the Map and Survey Committee of the Common Council be authorized, if they shall deem it necessary, to employ one of the engineers now employed by the Fire and Water Board under the City Surveyor at a salary not exceeding \$1,600.

Ald. Crouch moved that the resolution be referred to the Water Works Committee.

Ald. Chace moved that the matter lie on the table for two weeks.

Ald. Fitz Simons moved to suspend the rule to adjourn at 11 o'clock. Adopted.

The motion of Ald. Crouch to refer to the Water Works Committee was lost by the following vote :

Ayes—Ald. Westbury, Crouch, Chambers, Chace, Edelman, Knobles—6.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Hart—3.

The motion of Ald. Chace that the resolution lie on the table until the next meeting, was lost by the following vote :

Ayes—Ald. Westbury, Crouch, Chambers, Chace, Edelman, Knobles, Hart—7.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—8.

The original resolution was adopted by the following vote :

Ayes—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Knobles—9.

Nays—Ald. Westbury, Crouch, Chambers, Chace, Edelman, Hart—6.

On motion of Ald. Fitz Simons the Board then adjourned. EDWARD ANGEVINE, City Clerk.

In Common Council, Sept. 23d, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent.—Ald. Otis—1.

The minutes of previous meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bill of

Chas. A. Jeffords, lighting and care of lamps Sept.	\$	710	69
National Gas Light Co., lighting and care of lamps, July		566	67
National Gas Light Co., lighting and care of lamps, August		566	67
Citizens Gas Co., lighting and care of lamps	2,280	26	
Rochester Gas Co., lighting and care of lamps	1,833	33	
How & Snyder, lamp cocks	16	50	
B. F. Thomas, lamp pots	24	00	

Referred to Lamp Committee.

Citizens Gas Co., resetting posts..... 205 80
Rochester Gas Co., resetting posts..... 359 91

Referred to Special Committee on Rearranging Lamps.

By Ald. FitzSimons—Petition for the opening and extension of Centre street. Referred to the Committee on Opening and Alteration of streets.

By Ald. FitzSimons—Petition for a bridge over the Genesee river at the east end of Centre street. Referred to the Committee on Streets and Bridges.

By Ald. Westbury—Petition of Thomas Glevin for permission to erect a wood building and moved that the prayer of the petition be granted. Adopted.

By Ald. Westbury—
Supreme Court, Monroe County.—Richard Smith, plaintiff, against James H. Kelly, George Fleckenstein, Charles P. Bromley, Louis P. Beck, J. George Baetzel, Law S. Gibson, and John Williams, defendants :

To the Common Council of the City of Rochester.

GENTLEMEN: The undersigned petitioners would respectfully represent that they are defendants in the above entitled action. That, as your petitioners are informed and believe, said action is brought to recover damages alleged to have been sustained by the plaintiff on the night of December 31st, 1875, when the citizens of Rochester were celebrating the expiration of the one hundredth year of our national independence and the entering upon the first New Year of the second Centennial. It is claimed that the plaintiff's injuries were caused by his coming in contact with one of the vehicles connected with the Fire Department of your city, which was then being driven on that occasion on the street by the defendant, John Williams, who was then an employee of the city connected with said Fire Department. Your petitioners, with the exception of Law S. Gibson (who was then Chief Engineer of said Fire Department, and said Williams), were members of the Finance Committee of the Common Council, and were acting on that occasion by the direction of the Common Council, under a resolution adopted by that body directing said Committee to inaugurate and carry out a celebration suitable for that occasion. This plaintiff brought his action first against the city and it was carried to the Court of Appeals, where it was decided in favor of the city. He now brings this action against your petitioners individually claiming that as we were members of the Finance Committee, and having the celebration under our charge under the resolution aforesaid, we are individually liable.

Your petitioners therefore pray that the city of Rochester, under the direction of this board, assume the defence of said action, and that you direct your City Attorney to appear for us in said action and defend the same to the best of his ability.

All of which is respectfully submitted.

Dated Sept. 23d, 1879.

JAMES H. KELLY,
GEORGE FLECKENSTEIN,
J. GEORGE BAETZEL,
C. P. BROMLEY,
L. P. BECK,
LAW S. GIBSON.

Referred to the Law Committee and City Attorney.

By Ald. Westbury—Petition for a sewer in Exchange street. Referred to the Sewer Committee.

By Ald. Warren—Petition of S. S. Langworthy for remission of taxes. Referred to the Assessment Committee.

Also, petition for cleaning and opening a sewer in Shamrock street. Referred to the Sewer Committee.

By Ald. Chambers—Bills of

C. E. Morris, stationery.....	\$84 60
Rechester Printing Co., publishing proceedings.....	510 00
Rochester Printing Co., printing Municipal Court.....	19 00
Union and Advertiser Co., printing blanks.....	6 00
..... redemption notices.....	7 50
..... daily papers and blanks.....	23 25
Leary & Co., refreshments.....	15 00
.....	15 00

Referred to Contingent Committee.

By Ald. Crouch—Bills of

Joseph Schutte, disbursements.....	\$67 00
Home of Friendless, board of inmates.....	109 00
Fleckenstein Bros., bread and crackers.....	50 16
Williamson & Higbie, stationery Excise Board.....	8 37
Gales & Co., meat.....	50 00
C. Herzberger, meat.....	150 00
John Hart, shoes.....	114 80
B. O'Reilly, burials.....	62 50
J. Howe & Son, bread and crackers.....	99 16

Referred to Poor Committee.

By Ald. Mandeville—Bills of

Goggin & Knowles, repairing.....	\$27 56
Geo. W. Aldridge, labor and material.....	194 46
John B. Snyder, plumbing.....	26 00

Referred to City Property Committee.

By Ald. Mandeville—Petition for the opening of a street from Goodman street to Main street. Referred to the Committee on Opening and Alteration of Streets.

By Ald. Vay—Petition for a plank walk in Orange street. Referred to the Improvement Committee.

By Ald. Vay—Petition of C. M. Everest for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Vay—Petition for sewer in Whitney street. Tabled.

Also remonstrance against sewer in Brown street. Tabled.

By Ald. Wickens—Petition of Fortune C. Brown for remission of taxes. Referred to the Assessment Committee.

By Ald. Edelman—Bill of

Mutschler Bros., drinking fountain.....	\$98 55
-----------------------------------------	---------

Referred to Park Committee.

By Ald. Edelman—Petition for side walks in Drayton street. Referred to the Improvement Committee.

By Ald. Edelman—Petition of Henry Rootmary for permission to erect wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Edelman—Whereas, The Executive Board have been unable to obtain, by purchase or agreement, the right of way to construct the extension of the Lake avenue sewer over the proposed route through private property; therefore

Resolved, That the City Attorney be and he hereby is instructed to take all legal measures to procure such right, by the appointment of commissioners to apprise the damages. Adopted.

By Ald. Weaver—

OFFICE OF THE
WATER WORKS AND FIRE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, Sept. 23, 1879.

To the Honorable the Common Council:

GENTLEMEN—The Water Works and Fire Board respectfully recommend that your honorable board direct that water mains be laid in the following named streets the present season, and the same paid for out of the fund provided for water pipe extension:

Summer aley, from Plymouth avenue 1 1/2 feet west.
Cole street, from Gorham to Lowell street.
Julia street, from Troup street to West avenue.
Maple Place, from Monroe avenue to end of Place.
South Washington street, from Troup to Atkinson.
Orchard street, from Maple street to Wilder street.
Vick Park, " Avenue B," from East avenue to Crescent avenue.

Griffith street, from South street to Broadway.
Glenwood avenue, present end, to 350 feet west.
Spencer street, from Lake avenue east, 1 1/2 to 2 inch pipe.
Victoria and Silver streets, about 500 feet, 1 1/2 inch pipe.
Olean street, from Hunter street to Cady street.
Cady street, from Olean street to 350 feet west.
Thompson street, from Costar street to 500 feet north.

Erle street, from Bent to Oak, 144 feet, 2 inch pipe.
Holland street, from Chatham street to N. Y. C. & H. R. Railway.

Maple street, from present end 750 feet.
The Water Works and Fire Board also recommend that the following street mains be laid the present season, if there should be funds applicable ;
Sanford street, from near South avenue to Sauer's Park.
Servantom street, from North Clinton street to 500 feet west.

Market street.
Orchard, from Maple to Orange.
University avenue, from Scio to Main.

Respectfully submitted,
C. C. WOODWORTH,
V. FLECKENSEIN,
Water Works and Fire Board.

We respectfully concur in the above recommendation.
D. G. WEAVER,
GEORGE CHAMBERS,
C. T. CROUCH,
Water Works Committee.

Ordered received, filed and published.

By Ald. Weaver—Resolved, That the Water Works and Fire Board be and they are hereby authorized to lay water pipes in the streets named in their communication and recommended by the said Board and the Water Works Committee herewith presented.—Adopted.

By Ald. Hart—Petition for kerosene lamps on Avenue B, C and D. Referred to the Lamp Committee.

By Ald. Hart—Bills of

B. F. Enos, expenses.....	\$13 20
Mensing & Stecker, letter heads.....	13 20
Consumers' Ice Co., ice.....	22 50
Howe & Rogers, matting.....	58 85
Rochester Printing Co., printing blanks.....	26 00

Referred to the Police Committee.

By Ald. Hebing—Petition of Chas. Enders in regard to Inspector of Election. Referred to the Law Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Edleman, from the Park Committee; Ald. Hart, from the Police Committee, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y. Sept. 23, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Union and Adv., pub. proceedings to Oct. 1st	\$675 00
Express Printing Co.,	550 00
Rochester Printing Co.,	425 00
.. Volksblatt,	175 00
.. Boebachter,	75 00
.. Star,	25 00
Benjamin & Barber,	50 00
to May 13	50 00
And charge that fund.	

POOR DEPARTMENT FUND.

Home of Industry, bread.....	\$ 28 28
M. Yawman, bread.....	13 12
A. Bauerschmitt, meat.....	50 00
S. Wheeler, rent.....	10 00
J. E. Butterfield, transportation.....	14 79
George Schofield	24 92
John Hart, shoes.....	51 00
M. Bulkeley & Co., groceries.....	12 00
C. E. Woodward, agent, groceries.....	8 00
Smith, Perkins & Co., groceries.....	14 00
L. Boss, bread.....	124 30
Louisa Klein, bread.....	13 72
John Schwinger, bread.....	54 00
Howe & Son, bread and crackers.....	33 42
And charge that Fund.	

CITY PROPERTY FUND.

Rochester Gas Co., gas City Hall and Front St. building	\$83 66
Wm. Connors, hardware.....	8 52
Hagen & Meyers, laundry work.....	6 20
Howe & Snyder, plumbing.....	99 86
And charge that Fund.	

HEALTH DEPARTMENT FUND.

John Mason, postage stamps.....	\$10 00
Mt. Hope Cemetery, rent of Hope Hospital.....	150 00
Eagle Ord. Ex. Co. removing dead animals.....	42 60
Geo. Engert, coal.....	5 35
Thos. Kirby, repairing wagon.....	2 00
John O'Rourke, board of horse	54 00
John Colbert, horse shoeing.....	12 75
And charge that Fund.	

PARK FUND.

H. H. Edgerton, lumber.....	\$112 55
C. D. Gallagher, turning posts.....	29 00
James Wilson, painting.....	8 00
And charge that Fund.	

POLICE FUND.

Alex. McLean, expenses for August.....	\$86 44
And charge that Fund.	

Adopted by the following vote :
Ayes—Ald. Tracy Fitz Simons, Westbury, Warren, Hebing, Crouch, Chambers, Chase, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Hebing—
To the Common Council of the City of Rochester :

Your Law Committee, to whom was referred the claim of B. McFarlin, Esq., would report :
That after an elaborate investigation of said claim we find Mr. McFarlin is entitled to pay for labor and materials furnished the city, viz :

May 15, 1875—To 1 1/2 loads of earth at 15 cents per load.....	\$ 21 90
May 15, 1875—To 2 1/2 days work.....	2 19
May 15, 1875—To 1 cord of stone.....	4 00
June 7, 1877—To 3 loads of stone.....	4 50

Making in all.....\$ 32 59

The item of \$50 in the account presented by Mr. McFarlin for the use of lot on Troup street for dumping ground for two years your committee report adversely against paying for the same, for the reason that the lot was benefited by placing the material thereon more than the use of the lot was worth for that length of time. As this whole transaction was done under the direction and supervision of the Board of Public Works and Executive Board and relates entirely to streets, the committee are of the opinion that the claim should be paid out of the highway fund, and therefore recommend the adoption of the following resolution:
Resolved, That the Executive Board be requested to draw the usual order from the Treasurer for \$32.59, payable

to the order of B. McFarlin on his giving a receipt in full for the claim presented, and charge highway fund.

All of which is respectfully submitted.

Dated Sept. 23d, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER
EXECUTIVE OFFICERS AND THEIR
REFERENCE.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, Sept. 18, 1879. }

GENTLEMEN OF THE COMMON COUNCIL: I return to you, without my approval, the resolution adopted at your last regular meeting, providing for a discontinuance of the engineering department of the fire and water board.

The resolution is indefinite as to the time when the transfer of material, maps, charts, instruments, etc., etc., from the one department to the other shall take place. If it means immediately, then its propriety may well be questioned in view of the fact that the fire and water board under the direction of its engineering department, is now engaged in the laying of several miles of water pipe in various parts of the city, (the schedule of the same having been approved by your board some weeks since) and which cannot be completed for some time to come. Furthermore the water pipe fund is not to be exhausted by the work now underway, and there will be quite an amount of money left, to make a further extension of pipe, thereby bringing joy and gratification in many ways to a still larger number of people. In this your board will be asked to co-operate. Another reason by which I am governed in my action is the fact that the city is now, through its fire and water department, defending itself against the litigation forced upon it by mill owners assuming to hold the city responsible because of a lack of water, occasioned, as they say, by the tapping of Hemlock lake, and in which suit they ask for a perpetual injunction restraining the city from further operations of this character; the effect of which, if granted, will destroy our entire water system and bring ruin and desolation. The importance of this matter, I fear, has hardly been estimated by our citizens, but I am rejoiced to say that this monstrous demand is being stubbornly resisted by City-attorney Wheeler, W. F. Cogswell, esq. (whose employ was authorised by your honorable body), Mr. Tubbs and other officials with every reasonable prospect of success, and any action that might have even the tendency to cripple the city's defense in an emergency of this kind, is certainly to be considered and heeded. It does not appear from your proceedings that any member or members of your board have given thought to these various propositions, or

34

whether a change so radical as the one contemplated, can be made without injury. It seems to me that your duty should have been, before having adopted a resolution so broad in its terms, to have carefully weighed every consideration bearing upon the subject, giving the information when derived to every member of the common council, every city official and citizen, thus making all intelligent judges of the situation. Some of the aldermen have informed me that the action taken was necessarily done hastily, and that an opportunity should be presented them to review their proceedings. An appeal to me of this character also has its weight. The opinion of the city attorney accompanying this document, is of great importance, and especially so when considered in connection with that portion of the preamble (preceding your resolution) which charges the fire and water board with the maintenance of a department not authorised by law, and you are to judge whether or not it (the opinion) does not do away with the theory of the law therein expressed. I have not desired, nor do I mean to be critical or captious in this matter. The fact which by all seems to be conceded, that your board has no legal right to interfere, has no particular weight with me.

I regard it the duty of the common council, and it certainly is within their province, to suggest measures tending to reform and economy; but inasmuch as it is for the interest of a tax-paying public to have all branches of its municipal government working in harmony, and for the attainment of a common purpose, a pleasantly suggested idea is better in all cases than an imperative demand.

The scheme of uniting the engineering system of our city under one head is not new. It has been suggested before, and the time, I think, is rapidly approaching when it may be consummated. To accomplish the same legally and intelligently, however, can only be done by careful and considerate action. A resolution for the appointment of a committee, or one requesting a standing committee of your board, to confer with the fire and water department in regard to this question, reporting back to your honorable body all matters of detail, and of fact, conveying to yourselves and the public the fullest information and accompanied by recommendations will meet my hearty approval. My objections then to the resolution may be summarised as follows:

I. Its indefinite character as to the time when the change suggested shall take place.

II. If it means immediately, then it is, in my opinion, injudicious, because of the work now in progress, and that which is further contemplated, and the important litigation with which the fire and water board have to deal.

III. It does not appear from your minutes that an examination of the project has been had with a view of ascertaining if the change can now be prudently made, or whether the

department is unnecessary and extravagant.

IV. Because of the suggestion of some of the members of the common council that sufficient time has not been given for a proper consideration of the question.

V. The opinion of the city attorney, conveying the information that the fire and water board have not acted without authority, and suggesting that the change when made be done by legislative enactment.

CORNELIUS R. PARSONS, mayor.

OFFICE OF THE CITY ATTORNEY,
ROCHESTER, Sept. 12, 1879. }

To Hon. Cornelius R. Parsons, Mayor of the City of Rochester:

DEAR SIR: Having been requested by you to give my opinion as to the power of the common council over the subject matter of the following resolution, passed Tuesday evening, September 9th, 1879, I respectfully submit the following report:

By Ald. FitzSimons:

Whereas, The map and survey department of this city is equipped with a full corps of competent engineers and surveyors, who are supplied with all the necessary instruments and material used by the craft, at the city's expense, and whereas the maintenance of a similar and separate department by the fire and water board is an extravagance which is not authorised by the city charter nor contemplated by any of its amendments; therefore

Resolved, That the fire and water board be requested and required to turn over to the city surveyor all maps, charts, drawings, statistics, instruments and material belonging to or in use by the engineering department or bureau under control of the said fire and water board, and to discontinue the said department or bureau, and that the map and survey committee of the common council be authorised, if they shall deem it necessary, to employ one of the engineers now employed by the fire and water board under the city surveyor at a salary not exceeding \$1,600.

By act chapter 387, laws of 1872, a board of water commissioners was authorised to be constituted, whose duty it was made to procure a supply of pure and wholesome water for the city, and for that purpose were authorised to employ engineers, surveyors and such other persons as in their opinion might be necessary, etc., and by that act their duties were to end on the completion of the work; but by act chapter 754, laws of 1873, it was provided that the terms of office of the said water commissioners shall not extend beyond the first day of October, 1876.

By act chapter 37, laws of 1876, it was directed that "Such executive board shall, upon the first day of October, 1876, assume and thereafter have control of the water works of said city and of furnishing the water to citizens, and of the care and repair of such works; and to that end shall have the powers granted to the board of water commissioners of said city by section 3 of chapter 754 of the laws of 1873, and to that end they may make such rules and regulations, establish such rates and employ such assistance as they may deem proper."

By chapter 190, laws of 1879, it is pro-

vided as follows: "The mayor of the city of Rochester shall, during the month of April in the year 1879, and after the tenth day thereof designate two members of the executive board to constitute a water works and fire board, and that board shall thereafter consist of two members, and shall, upon the said first Monday in May, 1879, assume and thereafter have exclusive control of the water works of said city and of the construction of all extensions and additions, improvements and repairs of the same and of furnishing water to citizens and the care and repair of said works, and to that end shall have the powers granted to the board of water commissioners of said city by section 3 of chapter 754 of the laws of 1873, and they may make such rules and regulations and establish such rates for the use of water as they may deem proper." Also, "The water works and fire board may employ such assistants and establish such by laws for its meetings and proceedings as it may see fit."

I find that ever since the inception of the Rochester water works, said works, in all its departments, have been under the control of certain boards established by statute, and I find no statute which at any time gave the common council any authority or control over the water works or of the assistants employed by the several boards which have had or now have the water works in charge, or which authorises said council to dictate as to their number or compensation; on the contrary, the law makes the water works and fire board the sole judges in that matter. I would suggest that any change to the contrary to become effective and legal, should first be authorised by act of the legislature. All of which is respectfully submitted.

A. G. WHEELER, city attorney.

The President stated the question to be, "Shall the resolution stand as the action of the Board, notwithstanding the objections of the Mayor?"

The City Attorney was heard in the matter.

Ald. Mandeville moved that the whole matter be postponed until the next regular meeting.

Lost by the following vote:

Ayes—Ald. FitzSimons, Warren, Mandeville—3.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

The resolution failed to pass over the objections of the Mayor by the following vote:

Ayes—Ald. FitzSimons, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—7.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Knobles, Hart—8.

Ald. FitzSimons—Mr. Clerk, I desire that you here enter my protest against this action—it not being legal, the Mayor not having complied with the requirements of the Charter, in the filing of his veto message.

By the Clerk—

EXECUTIVE BOARD,
OFFICE, CITY HALL, Sept. 16, 1879. }

To the Honorable the Common Council :

The Executive Board, to whom was referred the matter of negotiating for the necessary right of way for the construction of the Lake avenue outlet sewer, under ordinance No. 2,077, passed August 12, 1879, having endeavored to discharge the duty assigned them, respectfully report:

That they have made a personal examination of the proposed location and route of the said outlet sewer, and have conferred with the parties interested, the results of such conference being as stated.

Charles J. Hayden has no objection to the proposed tunnel through his property, and will grant the right of way therefor provided, that he shall not be assessed for any of the expense of constructing the said sewer.

Albert M. Hastings, for the Rochester Paper Company, is willing to concede any right of way which he may possess.

Seth W. Marsh demands one thousand dollars for the right of way.

Messrs. Ellwanger, Barry and Woodworth claim that their interests will be materially injured by the construction of the proposed tunnel at the point indicated by the City Surveyor, and decline to make any concession or to entertain any proposition.

Respectfully submitted,

F. C. LAUER, Jr.,
FRANCIS P. KAVANAGH.

Ordered received, filed and published.

By the Clerk—

To the Honorable the Common Council:

GENTLEMEN: We beg leave to present you the report of the Executive Board for the sixteen months ending May 1st, 1879, in which is embraced a detailed account of the Water Works and Fire Departments. We request you will give the report that careful perusal and thoughtful consideration which is necessary for a full understanding of the condition and progress of these two important branches of our municipal government.

C. C. WOODWORTH,
V. FLECKENSTEIN,
Water Works and Fire Board.

OFFICE OF SUPERINTENDENT OF PUBLIC
SCHOOLS, Rochester Sept. 10, 1879. }

By Com. Brown—Resolved, That the Superintendent request the Improvement Committee of the Common Council to take the necessary steps towards improving or laying a new walk on Jones street in front and south of old No. 5 school building.

I certify the above to be a true transcript from the proceedings of the Board of Education at a regular meeting June 6th, 1879.

A. L. MABBETT, Supt.

P. S.—Again at a meeting of the Board of Education, Aug. 4, 1879, Com. Tait presented notice from the Executive Board requiring new walk to be laid in front of said property, whereupon Com. Brown again moved its reference to the Imp. Com. of the Common Council to repair walk in front of said city property.

A. L. M., Supt

Referred to Improvement Committee.

Ald. Hart presented a remonstrance against the changing of the name of Lewis to Schlegler street.

Ald. Hart moved a reconsideration of the resolution changing the name of the street. Adopted.

Ald. Hart moved that the name of Lewis street be changed to South Lewis street, and that the clerk make the change in the street register. Adopted.

By the Clerk—

CHAP. 6.

AN ACT to amend chapter two hundred and sixty-seven of the laws of eighteen hundred and sixty-nine, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester, passed April eight, eighteen hundred and sixty-one, in relation to assessments to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains.'"

Passed January 21, 1879; three-fifths being present.

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

SECTION 1. Section two of chapter two hundred and sixty-seven of the laws of eighteen hundred and sixty-nine, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester, passed April eight, eighteen hundred and sixty-one, in relation to assessments to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains,'" is hereby amended so as to read as follows:

§ 2. Every person chosen or appointed by the common council to any other office except those enumerated in the last section, before he enters on the duties of his office, and within five days after being notified of his election or appointment, shall cause to be filed in the office of the city clerk an office in writing, signifying his acceptance of such office, and take the oath of office prescribed by the Constitution of this State, sworn or affirmed to before the said clerk, or the mayor or police justice of said city of Rochester, or one of the judges of the Municipal Court of said city, and file the same in the office of the city clerk.

§ 2. This act shall take effect immediately.

CHAP. 130.

AN ACT to amend chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and the various acts amendatory thereof, or relating to the city of Rochester.

Passed April 17, 1879; three-fifths being present.

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

SECTION 1. Section one hundred and fifty-five of chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one as heretofore amended, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," passed April eighth, eighteen hundred and sixty-one, as heretofore amended, is hereby amended so as to read as follows:

§ 155 There shall be an executive board of the said city of Rochester which shall consist of two members, who shall be electors and freeholders of said city, chosen by the electors of said city in the same manner as other city officers at the charter election of said city, one at each year's charter election except at the charter election of the year eighteen hundred and eighty-one, to hold office for the term of two years, commencing on the first Monday in May next ensuing upon such election, provided that nothing herein contained shall affect the term of office or impair the powers, privileges, duties or obligations of the members of said board now in office during the periods for which they were severally appointed or elected except as hereinafter provided. The mayor of said city is hereby prohibited from making any appointment to the executive board from and after the passage of this act, unless to fill a vacancy after said board shall be reduced to two members by the expiration of the terms of office of the present members. Said executive board shall have sole power to let all contracts to be made by said city in pursuance of any ordinance, except such as are by law directed to be otherwise made, and shall superintend the execution of the same, and shall have the superintendence and control of all work or improvements ordered by the common council and of paying for the same, except such as relate to the water works and fire department. Said board shall have control of the construction, improvement, repair and clearing of streets, alleys, sewers and bridges, except bridges owned by the state of New York, and shall have control of the

expenditure of the funds thereof; but whenever the expense of any such work or improvement shall be required to be defrayed by a local assessment, the common council of said city shall alone have power to pass any ordinance therefor, subject to the veto of the mayor as hereinbefore provided, and in the manner and subject to the restrictions established by the charter of said city as hereby amended. Said board may employ such assistants and establish such by-laws for its meetings and proceedings as it may see fit. Said board may designate one of its members as its clerk, but who shall receive no additional compensation for this service. The members of said board shall give their entire time to the duties of the office. The salary of each member of the executive board shall be two thousand dollars per year, and shall be paid by the city treasurer in the same manner as the salaries of officers elected by the common council. The mayor of the city of Rochester shall during the month of April, in the year eighteen hundred and seventy-nine, and after the tenth day thereof, designate two members of the executive board to constitute a "water works and fire board," and that board shall thereafter consist of two members and shall upon the said first Monday in May, eighteen hundred and seventy-nine, assume and thereafter have exclusive control of the water works of said city and of the construction of all extensions, and additions, improvements and repairs of same, and of furnishing the water to citizens, and the care and repair of said works, and to the end shall have the powers granted to the board of water commissioners of said city by section three of chapter seven hundred and fifty-four of the laws of eighteen hundred and seventy-three, and they may make such rules and regulations and establish such rates for use of water as they may deem proper. All moneys received from water rates or the use of water, shall at the close of each day be paid to the city treasurer, and after paying the expenses of the charge, care, maintenance and repairs of such works, shall be applied solely to the payment of the principal and interest on the water works bonds of said city. No moneys shall be paid out of said receipts save on a vote of a majority of such water works and fire board, and on an order drawn by its clerk and approved by the mayor. Said water works and fire board shall have control of the fire department of said city and of the care and expense thereof, and is hereby vested with the powers heretofore vested in the common council of said city by sections two hundred and nineteen, two hundred and twenty-two and two hundred and twenty-three of this act, except that no fire engine shall be purchased or sold, and no engine house built except by resolution of the common council. And none of the members of the water works and fire board shall after the said first Monday in May, eighteen hundred and seventy-nine, exercise any of the powers pertaining to or vested in the executive board by this act; and the two members of the executive board, who by the provisions of this act are designated to serve on the water works and fire board, shall serve only until the expiration of the term for which they were originally elected or appointed members of the executive board, and in the month of April, preceding the close of their terms of office, and after the tenth day thereof, the mayor shall appoint, except as herein provided, one elector and freeholder of said city to serve on said board for the term of one year, and if they both expire at the same time, then he shall also appoint one to serve for the term of two years and thereafter shall appoint one member in the month of April, and after the tenth day thereof in each year, to hold office for the term of two years. The salary of the members of said board shall be five hundred dollars per year, with the exception of those members who are transferred from the executive board, as aforesaid, which members shall devote their whole time to the duties of their office, and shall receive at the rate of two thousand dollars per year, but in case from any cause, a vacancy should occur in the place of either of the members so transferred from the executive board, the mayor may appoint to fill such vacancy, and to include the next succeeding term, and the salary therefor shall be at the rate of five hundred dollars per year. The members of the water works and fire board are required to devote only so much time to the duties of their office as may be required to properly perform the same, provided as hereinbefore provided, the water works and fire board may employ such assistants and establish such by-laws for its meetings and proceedings as it may see fit. Any vacancy in the water works and fire board and in the executive board may be filled by the mayor for the unexpired term of the member causing the vacancy, except as hereinbefore provided. Any member of the water works and fire board and of the executive board shall take the oath of office required of other city officers within five days after being notified of his election or appointment, and a failure to do so shall be deemed a refusal to serve. Each of said members shall give a bond in such amount, and with such sureties, as the mayor may approve, conditioned for the faithful per-

formance of his duties. Any of such members of either of said boards may be removed by the common council for official misconduct, by a vote of two-thirds of all the members elected to the said council, but notice in writing shall be given of the charges made, and he shall have an opportunity of being heard in his defense. The said water works and fire board and the executive board shall make monthly reports to the common council of their expenditures and the condition of the funds under their control. They shall keep a record of their proceedings, and all receipts and expenditures, which shall be published in at least one daily paper in said city. On or before the first day of June in each year, each of said boards shall present to the common council a statement of the moneys needed by them respectively for the fiscal year, specifying the purposes for which it shall be used. It shall be the duty of the common council to raise the sums so reported, in the same manner as other general city taxes. All moneys paid under the order of said boards shall be paid by virtue of an order on the treasurer of the city drawn by the clerks of said boards respectively, under a resolution which must receive a vote of a majority of all the members of the particular board drawing the order.

§2. This act shall take effect immediately.

CHAP. 280.

AN ACT to further amend chapter one hundred and ninety-six of the laws of eighteen hundred and seventy-six, entitled "An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and seventy-seven."

Passed April 23, 1879; three-fifths being present.

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

SECTION 1. Section five of chapter one hundred and ninety-six of the laws of eighteen hundred and seventy-six, entitled "An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city," as amended by chapter one hundred and ninety-two of the laws of eighteen hundred and seventy-seven, is hereby further amended by adding thereto the following subdivisions, to-wit:

16. The judges of said court shall have power to remove any constable of said city upon the same complaint as is provided by law for the removal of a constable of a town.

The said judges shall associate together to hear and determine the same, and the same proceedings shall be had by and before them as are provided by law to be had by and before three justices of the peace of a town for the removal of a constable.

17. The judges of said court are hereby respectively authorized and empowered to solemnize the rites of marriage.

§ 2. Section six of said act is hereby amended so as to read as follows:

§ 6. Process shall be made returnable before said court by its proper title, and shall be signed by a judge or by a clerk or deputy clerk of said court; either of said judges may hold said court, and may hear, try and determine any case or proceeding brought in said court when there is no demand made for a jury, or preside at a trial by jury; but in case of proceeding in bastardy, said judges shall associate together for the trial and determination of the same. The process, pleadings, practice, trial by the court or jury, fees, costs and disbursements, judgment by action or confession, and proceedings thereon, shall be the same as are now provided by law for justices' court, except as otherwise provided in this act. In cases where the defendant is required by law to give bail on application for an adjournment, the amount of the penalty of the bond shall be fixed by the court, but shall not in any case exceed five hundred dollars. Appeal may be had from any judgment obtained in said court to the county court of Monroe county, in the same cases, in the same manner, and with like effect, as appeals are now had by law from judgments obtained in justices' courts. This court shall not have cognizance of any action where the title to real property shall come in question; but where such question arises the pleadings and practice shall be the same as are now provided by law for justices' courts in regard thereto.

The clerk of said court, on the demand of a party in any judgment or proceeding which has been rendered, shall give a transcript thereof, which may be filed and docketed in the office of the clerk of Monroe county. The time of the receipt of the transcript by said clerk shall be noted thereon, and entered in the docket, and from that time the judgment shall be a judgment of the county court. A certified transcript of such judg-

ment may be filed and docketed in the clerk's office of any other county, and with the like effect, in every respect, as in the county where the judgment was rendered, except that it shall be a lien only from the time of filing and docketing the transcript. But no such judgment for a less sum than twenty-five dollars, exclusive of costs, shall be a lien upon or enforced against real property. The pleadings in said municipal court shall be:

1. The complaint by the plaintiff; and
2. The answer by the defendant; and
The pleadings may be oral or in writing, if oral, the substance thereof shall be entered in the docket of the court; if in writing, they shall be filed and a reference to them shall be made in the docket, but such pleadings need not be verified except as hereinafter provided.

The complaint shall state, in a plain and direct manner, the facts constituting the cause of action. The answer may contain a denial of the complaint, or any part thereof, and also notice, in a plain and direct manner of any facts constituting a defence or counter claim.

Either party may demur to the pleadings of his adversary, or of any part thereof, if not sufficiently explicit to enable him to understand it, or if it contains no cause of action or defense, although it be taken as true. If the court deem the objection well founded, it shall order the pleading to be amended; and if the party refuse to amend, the defective pleadings shall be disregarded. In case a defendant does not appear and answer, the plaintiff cannot recover (except as otherwise provided in sections seven and eight of this act), without proving his case.

In an action or defense founded upon an account or an instrument for the payment of money only, it shall be sufficient (except as otherwise provided in sections seven and eight of this act,) for a party to deliver the account or instrument to the plaintiff to state that there is due to him thereon from the adverse party a specified sum, which he claims to recover or set off. A variance between the proof on the trial and the allegations in a pleading shall be disregarded as immaterial, unless the court shall be satisfied that the adverse party has been misled to his prejudice thereby.

The pleadings may be amended, at any time before the trial, or during the trial, or upon any day when by such amendment substantial justice will be promoted. If the amendment be made after the joining of issue, and it be made to appear to the satisfaction of the court, by oath, that an adjournment is necessary to the adverse party in consequence of such an amendment, an adjournment shall be granted, and the court may, also, in its discretion, require, as a condition of amendment, the payment of costs to the adverse party.

Execution may be issued on a judgment heretofore or hereafter rendered by said municipal court at any time within five years after the rendition thereof, and shall be returned six days after the date of the same. If the judgment be docketed with the county clerk, the execution shall be issued by him to the sheriff of the county, and have the same effect, and be executed in the same manner, as other executions and judgments of the county court.

The court may, at the joining of issue, require either party, at the request of the other, at that or some other specified time, to exhibit his account on demand or state the nature thereof, as far forth as may be in his power, and in case of his default preclude him from giving evidence of such parts thereof as shall not have been so exhibited or stated. The defendant may, on the return of process and before answering, make an offer in writing to allow judgment to be taken against him for an amount to be stated in such offer, with costs. The plaintiff shall thereupon, and before any other proceedings shall be had in the action, determine whether he will accept or reject such offer. If he accept the offer and give notice thereof in writing, the clerk shall file the offer and the acceptance thereof, and judgment shall be rendered accordingly. If notice of acceptance be not given, and if the plaintiff fail to obtain judgment for a greater amount, exclusive of costs, than has been specified in the offer, he shall not recover costs, but shall pay to the defendant his costs accruing subsequent to the offer.

The forms of action, parties to actions, the rules of evidence, the times of commencing actions, and the service of process upon corporations, as established by the code of procedure, shall govern the practice in this court.

§ 3. Section seven of said act is hereby amended as follows:

§ 7. In an action brought in this court, arising on contract for the recovery of money only, or upon account, the plaintiff, at the time of issuing the summons may file with the clerk of said court a written complaint, setting forth in a plain and concise manner the facts or items of account constituting the cause of action, specifying the amount actually due from the defendant to the plaintiff, and for which the defendant will demand judgment. Such complaint shall be subscribed by the plaintiff or his attorney, and shall be verified in the

manner prescribed by the code of civil procedure for courts of record. Said summons and complaint shall be served at the same time by delivering to and leaving with the defendant personally a copy thereof, and may be served by any person of full age not a party to the action.

§ 4. This act shall take effect immediately.

CHAP. 233.

AN ACT to further amend subdivision six, of section one hundred and forty, and section one hundred and forty-two, of chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester."

Passed April 28, 1879; three-fifths being present.

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

SECTION 1. Subdivision six, of section one hundred and forty, and one hundred and forty-two, of chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," as amended by section seven, chapter two hundred and sixty-seven of the laws of eighteen hundred and sixty-nine, is hereby further amended so as to read as follows:

§ 6. The amount to be raised for teachers' wages and contingent expenses in any one year, shall not be less than six dollars nor more than thirteen dollars per capita, based on the average daily attendance of resident pupils in the several public schools of said city, for the school year ending on the first day of May next preceding the levying of the general city taxes in each and every year. A sworn statement of such average daily attendance shall be made by the Superintendent of Schools, according to the verified monthly reports of the principals of said schools. Nor shall the amount to be raised in any one year to lease, alter, improve and repair school houses, and their out houses and appurtenances, exceed five thousand dollars. Nor shall the amount raised in any one year to purchase and improve sites, and build or enlarge school houses, exceed fifteen thousand dollars; and the Common Council of said city are authorized and directed, when necessary, to raise by loan, in anticipation of the taxes, the money to be raised, collected and levied as aforesaid.

§ 3. Paragraph two of subdivision twelve of section one hundred and forty-two of said act, is hereby amended so as to read as follows:

"2. The number of children taught in said schools respectively, on the last school day of the month of September previous."

§ 3. This act shall take effect immediately.

CHAP. 246.

AN ACT to amend chapter one hundred and thirteen of the laws of eighteen hundred and twenty-eight, entitled "An act authorizing and empowering the Common Council of the city of Rochester to construct lift, hoist, or swing bridges over the Erie canal, at Brown street and at Smith street, in the city of Rochester."

Passed May 5, 1879; three-fifths being present.

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

SECTION 1. Section two of chapter one hundred and thirteen of the laws of eighteen hundred and seventy-eight, entitled "An act authorizing and empowering the Common Council of the city of Rochester to construct lift, hoist, or swing bridges over the Erie canal, at Brown street and at Smith street, in the city of Rochester, is hereby amended so as to read as follows:

§ 2. The said Common Council is hereby authorized to use in such manner as it may deem proper to facilitate the construction of such bridges, so much of the material in the abutments and superstructure of the old bridges as shall, in its opinion, be deemed necessary and expedient, and the Common Council of said city shall annually raise by tax the money necessary to pay the expenses of operating said bridges and pay the persons employed therein.

§ 2. This act shall take effect immediately.

CHAP. 448.

AN ACT to amend chapter four hundred and sixty-three of the laws of eighteen hundred and seventy-four entitled "An act to provide for the maintenance of prisoners sent to the Monroe County Penitentiary from the several towns and the city of Rochester, in the county of Monroe."

Passed June 3, 1879; three-fifths being present.

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

SECTION 1. Section two of chapter four hundred and sixty-three of the laws of eighteen hundred and sev-

enty-four enlisted. An act to provide for the maintenance of prisoners sent to the Monroe County Penitentiary from the several towns and the city of Rochester, in the county of Monroe, is hereby amended so as to read follows:

§ 3. All fines imposed and received by any magistrate or police justice in the county of Monroe, and all fines received by the Board of Commissioners of the Monroe County Penitentiary, shall belong to the poor fund, and shall be used for the support of the poor in such town or city respectively, where such trial and conviction shall be had; except that all fines imposed by the police justice of the city of Rochester shall, when collected, be paid to the treasurer of said city, and by him credited to the police fund.

§ 2. This act shall take effect immediately.

CHAP. 537.

AN ACT to confer additional powers and duties upon the executive board and the water works and fire board of the city of Rochester.

Passed June 20, 1878; three-fifths being present.

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

SECTION 1. The Executive Board of the City of Rochester shall make and cause to be presented to the Common Council of the City of Rochester, at its first regular meeting in each month, a statement verified to be correct by the member of said Executive Board acting as Clerk thereof, of all items of disbursement exceeding five dollars in amount and of the total disbursement of moneys made by said Executive Board during the preceding month, and shall designate and appoint at its first regular meeting after the passage of this act, and thereafter as vacancies occur, and at the pleasure of said Board, one member of said Executive Board to act as clerk of said executive board, without additional compensation, and failing to agree in designating and appointing such member, the members of said Board shall, by lot, select a member of said Board to act as Clerk, and shall designate and appoint such member so selected to act as Clerk of said Executive Board, without additional compensation, and vacancies in the clerkship of said Board shall be thereafter filled in the same manner.

§ 2. The Water works and Fire Board of the City of Rochester shall make and cause to be presented to the Common Council of the City of Rochester, at its first regular meeting in each month, a statement verified to be correct by the member of said Board acting as Clerk thereof, as herein provided, of each item of disbursement exceeding five dollars, and of the total disbursements of said water works and fire board during the preceding month. Said water works and fire board of the city of Rochester shall at its first meeting after the passage of this act designate and appoint a member of said water works and fire board to act as clerk thereof, and failing to agree in designating and appointing such member, the members of said board shall, by lot, select a member of said board to act as clerk, and shall designate and appoint such member so selected to act as clerk of said water works and fire board, without additional compensation, and vacancies in the clerkship of said board shall be thereafter filled in the same manner. No person, not a member of said board, shall be employed in the office work of said board except in the capacity of engineer, surveyor or accountant. The water works and fire board shall not state, in the annual statement of moneys needed by them, to be presented to the Common Council on or before the first day of June in each year, a greater sum than twenty-five thousand dollars for extensions, additions and improvements of the water works or lines of pipe in care of said board, nor expend a greater sum annually therefor. The streets and places of extensions and additions of water pipe shall be, from time to time, recommended by said water works and fire board to the Common Council of said city, who shall have power to approve or alter the same, and the same shall not be otherwise constructed than as determined by the Council.

§ 3. All acts and parts of acts inconsistent herewith are hereby repealed.

§ 4. This act shall take effect immediately.

ACTION ON ORDINANCES.

FIRST ORDINANCES.

OPENING AND EXTENDING ACKERMAN STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of opening and extending Ackerman street from its present southern terminus, to the street known as the Webster plank road.

The Surveyor submitted as such estimate, \$50.

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

The opening and extension of Ackerman street, from its present southerly terminus to the street known as the Webster plank road, and the territory deemed nec-

essary to be taken therefor is described as follows, viz. A strip of land 18 1/2 feet in width, extending from the present southerly terminus of Ackerman street, to the street known as the Webster plank road, and at right angles to said plank road.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$50, which estimate is hereby approved.

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

One tier of lots on each side of the said Ackerman street, as proposed to be opened and extended, from the present southerly terminus of Ackerman street, to the street known as the Webster plank road.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Oct. the 7th, 1878, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE No. 2,088.

PIPE SEWER IN CAMPBELL STREET.

On motion of Ald. Edelman 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. Edelman submitted the following:

An ordinance to construct a 15-inch pipe sewer in Campbell street, from the sewer in Saxton street, to a point 50 feet west of Grape street; also, the necessary surface sewers, lot laterals and man-holes.

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

The construction of a 15-inch pipe sewer in Campbell street, from the sewer in Saxton street to a point 50 feet west of Grape street; also the necessary surface sewers, lot laterals and man-holes.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$1,500, which estimate is hereby approved; 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 Campbell street, from Saxton street to Grape street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final order for sewer in Hunter street was postponed until the first regular meeting in April next by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Warren, Hebing, Crouch, Chace, Wickens, Knobles, Hart—10.
Nays—Ald. Chambers, Mandeville, Vay, Edelman, Weaver—5.

FINAL ORDINANCE No. 2,084.

PLANK WALK ON ORANGE STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a four-foot plank walk on the south side of Orange street, from Ames street to a point 2 1/2 feet west thereof.

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

The construction of a four-foot plank walk on the south side of Orange street, from Ames street to a point 2 1/2 feet west thereof.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$66, which estimate is hereby approved; 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 Orange street, from Ames street to a point 2 1/2 feet west thereof.

On which above described portion of the city the expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Sept. 23d, 1879.

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,569, for Helena street sewer has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$666.65.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,059.
Whereas, The Common Council did upon the 22d day of April, 1879, enact an ordinance for pipe sewer in Helena street.

and, Whereas, the City Treasurer has reported the actual expenses of said improvement to be the sum of \$666.65, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of lands on each side of Helena street, from North street to Hudson street.

Therefore, Resolved, That the sum of \$666.65, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 27th day of Sept. 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Sept. 23, 1879.

To the Honorable the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2073 for Mansion street plank walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$201.39.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2073.

MANSION ST. PLANK WALK.

Whereas, The Common Council did upon the 3d day of June, 1879, enact an ordinance for Mansion st. plank walk.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$201.39, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the west side of Mansion st., from Violetta st. to Flint st.

Therefore, resolved, That the sum of \$201.39, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 27th day of September 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The final ordinance for a stone sewer in Brown st. was indefinitely postponed on motion of Ald. Crouch.

The final ordinance for a sewer in Whitney st. was indefinitely postponed on motion of Ald. Knobles.

MISCELLANEOUS BUSINESS.

By Ald. Tracy—Resolved, That the Citizens

Gas Company be requested to extend their mains through Sibley Park for a distance of four hundred and fifty feet from East Avenue and that the Lamp Committee be authorized to locate two public lamps in said Park. Adopted.

By Ald. Tracy—Resolved, That the Clerk be directed to draw orders on the City Treasurer in favor of the Rochester Gas Company for \$1,833.33, the Citizens Gas Company for \$2,290.26, in favor of Charles A. Jeffords for \$710.69, and National Gas Company for \$566.69 for care of gas, kerosene, and naphtha lamps for month of July, and one in favor of National Gas Company for \$566.69 for month of August payable October 1st, and charge the same to Lamp Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. FitzSimons—Resolved, That a special committee of three Members of this Board be appointed to investigate the affairs of the Fire and Water Board.

Ald. Westbury moved that the resolution be indefinitely postponed.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—12.

Nays—Ald. FitzSimons, Hebing, Hart—3.

By Ald. Westbury—Resolved, That the Police Commissioners of the city of Rochester are hereby authorized to appoint a special policeman to attend the October term of the Circuit Court and Court of Oyer and Terminer, to be detailed thereto by the Chief of Police, in accordance with chapter 415 of the laws of 1878, such policeman to receive pay therefor from Monroe county, and in no event to have or receive any pay from or claim any fees against the city of Rochester.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—13.

Nays—Ald. FitzSimons, Weaver—2.

By Ald. Westbury—Resolved, That hereafter the Mayor be and he hereby is authorized to issue licenses to persons to sell fresh meat in the city upon their paying into the Treasury the sum of one dollar; and to all persons keeping hackney coaches, cabs and carriages in the city for hire, for the first license five dollars, and for every renewal thereafter the sum of one dollar. Adopted.

By Ald. Warren—Whereas, Lots Nos. 33 and 94 of B. Fish's subdivision Mumford tract, North street, 14th Ward, was assessed for the General City Tax for the year 1879 under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors, dated Sept. 22d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$3.00, with expenses and interest in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Sept. 23, 1879.

GEO. D. WILLIAMS, Treasurer.

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Anna M. Theis, viz:

Lot No. 49 B. Fish's subdivision Mumford tract, east

side of North street, 14th Ward, 33 feet front, 33 feet rear, and 100 feet deep, and that the owner of said property should pay as her portion of the General City Tax for the year 1879 the sum of \$3.00, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Sept. 23, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
By Alderman Warren—Whereas, Lots Nos. 93 and 94 of B. Fish's subdivision of the Mumford tract, North street, Fourteenth ward, was assessed for North street sewer No. 1888, under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors, dated September 23d, 1879, and on file in the Treasurer's office, a copy of which is attached here, be released from the lien of such assessment upon the payment of \$74.72, with expenses and interest in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Sept. 23, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880, to Anna M. Thies, viz:

Lot No. 94, B. Fish's subdivision of Mumford tract, east side of North street, Fourteenth Ward, 33 feet front, 33 feet rear, and 100 feet deep.

And that the owner of said property should pay as her portion of the assessment for North avenue sewer No. 1888, the sum of \$74.72, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept. 23, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos. 93 and 94 of B. Fish's subdivision, Mumford tract, North street, 14th ward, was assessed for North avenue outlet sewer No. 1,794, under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the assessors, dated Sept. 23d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$2.75, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Sept. 23d, 1879. }

George D. Williams, Treasurer:

SIR—We, the assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Anna M. Thies, viz: Lot No. 94 P. Fish's subdivision Mumford Tract, east side of North street, 14th ward, 33 feet front, 33 feet rear, and 100 feet deep, and that the owner of said property should pay as her portion of assessment for North avenue outlet sewer No. 1,794, the sum of \$2.75, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept. 23d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer

By Ald. Warren—Whereas, Lots Nos. 93 and 94 of B. Fisher's subdivision, Mumford Tract, North street, 14th Ward, were assessed for Channing street sewer, No. 1,668, under one valuation and in one amount, and are now owned by two or more persons; therefore

Resolved, That the property described in a certificate from the Assessors, dated Sept. 23d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$4.93 with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Sept. 23d, 1879. }

Geo. D. Williams, City Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Anna M. Thies, viz: Lot No. 94, B. Fish's Subdivision, Mumford Tract, East side of North street, 14th Ward, 33 feet front, 33 feet rear and 100 feet deep, and that the owner of said property should pay as her portion of the assessment for Channing street sewer No. 1,668 the sum of \$4.93 upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Sept. 23d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots Nos 93 and 94, B. Fish's subdivision, Mumford Tract, North street, 14th ward, was assessed for the general city tax for the year 1876, under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors, dated Sept. 23d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax, upon the payment of \$3.29, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Sept. 23d, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the general city tax for the year 1876 to Anna M. Thies, viz: Lot No. 94, B. Fish's subdivision, Mumford Tract, east side of North street, 14th ward, 33 feet front, 33 feet rear, and 100 feet deep, and that the owner of said property should pay as her portion of general city tax for the year 1876 the sum of \$3.29, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Sept. 23d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lot No. 73, 74, 75, 76, 77, 39, 40, 41, 42, 43 and 5 of the Thurber and Bennett Tract, Clifton street, 8th ward, was assessed for Clifton street improvement under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the assessors, dated September 23d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$21.48 with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
Rochester, N. Y., Sept. 23d, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property has been assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Mary E. Kerr, viz: Lot No. 77 of the Thurber Tract, South side of Clifton street, 8th ward, 38 feet front, 38 feet rear, and 100 feet deep, and that the owner of said property should pay as her portion of Clifton st. improvement the sum of \$21.48, upon payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Sept. 23d, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer

MISCELLANEOUS BUSINESS.

By Ald. Hebing—Resolved, That the Clerk draw an order in favor of the Special Commit-

tee in the matter of the city and State Line railroad for one thousand (1,000) dollars, to be used in such sum or sums as they may deem necessary. Vouchers for expenditures, when rendered to this Board, to be signed by all the members of the committee, and charge Contingent Fund.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

By Ald. Chambers—Resolved, That a license be granted Lutchford & Co., lessees of the Corinthian Academy of Music, to July 1st, 1880, on their paying into the Treasury the sum of \$25. Adopted.

By Ald. Mandeville—Whereas, The American Union Telegraph Company have erected and are erecting telegraph poles and wires on Monroe avenue without the written consent of property owners of said avenue and not in accordance with the terms and conditions of the resolution in regard to that subject, adopted by this Board at the last regular meeting thereof; and,

Whereas, Property owners of said avenue have remonstrated against the erection of such poles and wires, and demand the removal of such thereof as have been erected. Now, therefore,

Resolved, That no more telegraph poles or wires shall be erected on said Monroe avenue, and that such poles and wires as have been erected on said avenue shall be immediately removed therefrom. And said company is hereby required to remove the same, and in case said company shall refuse or neglect to remove the same within five days then the Executive Board and Street Superintendent are hereby required to remove said poles and wires from said Monroe avenue immediately and without delay.

Mr. Owen, the Secretary of the American Union Telegraph Co., was heard.

Ald. Mandeville moved to suspend the rule to adjourn at eleven o'clock. Adopted.

Ald. Crouch moved that the resolution be indefinitely postponed.

Lost by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Crouch, Chambers, Chace, Hart—7.

Nays—Ald. FitzSimons, Hebing, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—8.

Ald. Chace moved the appointment of a special committee of five to ascertain if the differences existing between the Telegraph Company and the property owners in Monroe avenue cannot be amicably adjusted.

Ald. Warren moved that this apply only to those property owners on whose premises poles are to be placed. Ald. Chace accepted the amendment. Ald. Chace's amendment was adopted and the original resolution as amended was adopted.

By Ald. Mandeville—Resolved, That Stillson B. Curtiss be appointed to act as special policeman in and about the Corinthian Academy of Music, without expense to the city of Rochester. Adopted.

Ald. Edelman moved that the petition of Henry Rotman for permission to erect a wood building, be granted. Adopted.

By Ald. Tracy—Resolved, That a market

license be granted to Martin McDonald for the sale of fresh meats, &c., at his place on West Main street, by his paying into the city treasury the sum of \$1. Adopted.

The President announced as the committee on disposition of the American Union Telegraph poles—Ald. Chace, Warren, Vay, Wickens, Tracy.

On motion of Ald. Warren, the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Oct. 6th, 1879.

SPECIAL MEETING.

MAYOR'S OFFICE,
ROCHESTER, N. Y., Oct. 4, 1879. }

Edward Angevine, City Clerk:

Please call a special meeting of the Common Council for Monday, October 6th, at 2 o'clock, p. m.

Object: Designating the places of registry, polling places, and appointing Inspectors of Election to supply vacancies.

CORNELIUS R. PARSONS, Mayor.

Present—Ald. Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—12.

Absent—Ald. Tracy, FitzSimons, Mandeville, Wickens—4.

Ald. E. B. Chace, President of the Board, presiding.

By Ald. Hart—Resolved, That the places for holding the polls of election for the several election districts of the city of Rochester for the ensuing year be designated and fixed as follows:

First Ward—Sheriff's Office, Court House.
Second Ward—Old Number Five School House, Centre street.

Third Ward—First District—Sturges' livery stable office, Caledonia avenue.

Third Ward—Second District—George Underhill's store, Tremont street, near Plymouth avenue.

Fourth Ward—Number One Engine House, Stone street.

Fifth Ward—First District—Meyerling's store, Eighty-eight North St. Paul street.

Fifth Ward—Second District—John O'Brien's shop, Two Hundred and Twenty-four North St. Paul street.

Sixth Ward—John F. Linsen's store, Clinton place, corner of Clinton street.

Seventh Ward—First District—Jacob Young's store, corner of Monroe avenue and Marshall street.

Seventh Ward—Second District—Mrs. Marcotte's store, corner of Monroe avenue and Meigs street.

Eighth Ward—First District—Eichelman's barber shop, Eighty-five West avenue.

Eighth Ward—Second District—Catherine Carroll's house, Seventy-eight Bartlett street, corner of Reynolds street.

Ninth Ward—First District—Campbell's building, Four Smith street.

Ninth Ward—Second District—Peter B. Ramsey's store, corner of Lake and Phelps avenues.

Tenth Ward—Number Thirty-nine, North Union street, between Asylum and Charlotte streets.

Eleventh Ward—First District—Chas. Miller's store, corner of Campbell and Orchard streets.

Eleventh Ward—Second District—Lewis Bauer's old brewery, Lyell avenue.

Twelfth Ward—First District—John Lynch's store, corner of Munger street and South avenue.

Twelfth Ward—Second District—George Arnold's house, One hundred and twenty-five South avenue.

Thirteenth Ward—First District—John Nolecker's store, corner of St. Joseph street and McDonald avenue.

Thirteenth Ward—Second District—John A. P. Walter's store, One hundred Hudson street.

Fourteenth Ward—Schitzer's store, corner of North avenue and Delevan streets, north side.

Fifteenth Ward—Joseph Badhorn's store, Childs street, near corner of Jay street.

Sixteenth Ward—First District—Mrs. Hohm's house, Number Twenty-six Goodman street, near Park avenue.

Sixteenth Ward—Second District—Mrs. Dora Sems, house, One hundred and forty-three Bay street, corner of Goodman street.

Sixteenth Ward—Third District—Augustus Scheidnagle's house, Hudson street, near Clifford.

The resolution was adopted.
On motion of Ald. Otis the Board proceeded to ballot for Inspectors of Election to fill vacancies, and the following named persons having received the requisite number of votes were declared elected;

Edward F. Stilwell,	1st Ward.		
George Glover,	7th ..	2d District.	
Thomas F. Murray,	9th ..	1st ..	
Daniel Sturges,	9th ..	2d ..	
James Kelly,	11th ..	1st ..	
Bernard Lehm,	13th ..	2d ..	
James Gosnell,	14th ..		
Thomas J. Daily,	15th ..		
Adam Affel,	16th ..	2d ..	
Levi A. Dickinson,	16th ..	3d ..	

By Ald. Vay—Resolved, That the 11th Ward of the city of Rochester, as at present constituted, be divided into two election districts as follows: All that portion of the ward lying south of the following described boundary shall hereafter constitute the First election district in said ward, viz.: Commencing at a point in the centre of the Erie Canal and Jay street and thence running westerly through the centre of Jay street to its intersection with Child street; all of the remaining territory of said ward lying north of said boundary shall hereafter constitute the Second election district in said ward, and that the clerk furnish the necessary maps and post the notices as required by law.

Adopted by the following vote:
Ayes—Ald. Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—12.

On motion of Ald. Warren the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Oct. 7th, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the previous meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bills of
Citizens' Gas Company, resetting posts.....\$ 99 90
National Gas Co., care of lamps for September. 566 67
Rochester Gas Co., resetting posts..... 31 76

Referred to the Lamp Committee.

By Ald. Tracy—Petition of George W. Percy for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. FitzSimons—Bill of
Gibert, Brady & Co., paving streets.....\$118 92
Referred to the special committee on re-arranging lamps.

By Ald. Westbury—Petition of Joseph Medbury for the transfer of a tax certificate. Referred to the Assessment Committee.

By Ald. Westbury—Petition of James P. Tumilty for the transfer of a tax certificate. Referred to the Assessment Committee.

By Ald. Otis—Petition of Hiram W. Martin for permission to erect and move a wood building, and moved that permission be granted.

Ald. Mandeville moved that the petition lie on the table for two weeks.

Ald. Otis moved as an amendment that the petition be referred to the Wood Building Committee and the Fire Marshal, with power to act. Adopted.

By Ald. Otis—Bills of
Union and Advertiser, printing blanks.....\$ 7 50
Charles Buckley, M. D., copy of statistics..... 18 00

Referred to the Health Committee.

By Ald. Crouch—Petition of H. G. Arnold for remission of tax. Referred to Assessment Committee.

By Ald. Crouch—Bills of

Geo. Schuffran, transportation.....	\$ 16 72
P. H. Curran, meat.....	100 00
John Groh, shoes.....	2 80
Louis Boss, bread and crackers.....	214 34
Weitzer & Niewarde, shoes.....	7 75
L. A. Wheeler, meat.....	100 00
Bulkeley & Co., groceries.....	12 00
A. H. Cork,	18 00
Wm. Punch, burial.....	12 00
L. P. Beck, shoes.....	7 75
C. E. Woodward, Ag't, groceries.....	10 00
Louis W. Brandt, printing.....	25 20
S. B. Roby, rent of coal yard to Oct. 1st.....	87 50
St. Patrick's Orphan Asylum, board of inmates to Oct. 1st.....	703 77
Industrial school, board of inmates to Oct. 1st.....	776 52
City Hospital, board of inmates to Oct. 1st....	1,004 25
Church Home, board of inmates to Oct. 1st....	421 40
St. Mary's Orphan Asylum, board of inmates to Oct. 1st.....	984 85
Rochester Orphan Asylum, board of inmates to Oct. 1st.....	722 51
Home of Industry, board of inmates to Oct. 1st	165 23
St. Joseph's Orphan Asylum, board of inmates to Oct. 1st.....	871 54
St. Mary's Hospital, board of inmates to Oct. 1st.....	3,447 00

Referred to the Poor Committee.

REPORT OF THE OVERSEER OF THE POOR FOR THE MONTH OF SEPTEMBER, 1879.

OVERSEER OF THE POOR OFFICE,
ROCHESTER, Oct. 7, 1879.

To the Honorable the Common Council of the City of Rochester

The undersigned, Overseer of the Poor of the city of Rochester would respectfully report that during the month of September he has relieved 393 families in the following manner

Orders on Poor Store.....	\$1,267 63
.. .. Wood Yard.....	5 00
.. .. Coal Yard.....	148 00
.. .. G. Mannel, medicine.....	1 90
.. .. J. O. Howard	1 00
.. .. Burke, FitzSimons Hone & Co., dry goods.....	1 00
.. .. Poor Store, shoes.....	98 61
.. .. M. Heavey, transportation.....	5 00
.. .. G. Schofield	33 60
.. .. J. E. Butterfield	2 25
.. .. Hoffman & Mayer, burials.....	6 50
.. .. B. O'Reilly	20 00
.. .. Wm. Punch,	12 00

Total.....\$1,602 49
Less Towns..... 66 48

Total to city.....\$1,536 01

all of which is respectfully submitted.
J. SCHUTE, Overseer of the Poor.
Ordered received; filed and published.

By Ald. Chambers—Bills of

J. W. McKinley, sledge.....	\$ 2 75
F. X. Maseeth, hack hire.....	16 00
Wm. Whitehair,	2 25

Referred to Contingent Expense Committee.

By Ald. Chambers—Petition for pipe sewer in Brown street; referred to the Sewer Committee.

By Ald. Mandeville—Bills of
J. Talmán, soap..... \$ 4 00
Rochester Gas Co., gas City Hall and Front st. building for Sept..... 85 47

W. Summerhays, labor in basement City Hall 61 05
 F. X. Masseth, hack hire..... 2 00
 Referred to the City Property Committee.
 By Ald. Edelman—Bills of
 H. Brewster, grass seed..... \$ 1 88
 Jacob Suter, earth..... 13 70
 Referred to the Park Committee.
 By Ald. Edelman—Petitions of Anna M. Theis, Solomon Tichner, Jacob Traugott, for permission to erect wood buildings; referred to the Wood Building Committee and Fire Marshal.
 By Ald. Edelman—Petition of Joseph Meyer, claim of damages against the city; referred to the Fire and Water Board.
 By Ald. Weaver—Bills of
 Rochester Gas Co., re-arranging lamps..... \$ 619 67
 Citizens' Gas Co., .. 537 60
 Referred to the special committee on re-arranging lamps.
 By Ald. Knobles—Bills of
 James Vick, for services..... \$ 16 00
 Samuel Wilder, .. 16 00
 Isaac F. Quimby, .. 16 00
 Referred to the Executive Board.
 By Ald. Hart—

REPORT OF THE POLICE CLERK FOR THE MONTH OF SEPTEMBER, 1879.

POLICE COMMISSIONERS' OFFICE, }
 Oct. 7th, 1879. }

To the Honorable the Common Council:
 GENTLEMEN:—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of September, 1879, together with the amount collected :

Sept.	Crime.	Penalty.	Paid.
1	Frank Burton drunk	\$ 5	
	Edward Plowday ..	5	5
	Bridget Allen ..	5	5
	August Dank assault	10	10
	Henry Knapp ..	10	10
	Geo Boyer drunk	10	5
	Wm Rooney ..	10	
	Geo Vroman ..	10	
	Porter T Swan cruelty to animals	10	10
2	Mich Connolly petit larceny	10	
	Leonard Regg assault	10	10
	Mary Williams vio ord	10	
	Byron Hancock assault	10	5
	Elmer Robinson ..	10	5
	Kate Chapman vio ord	10	
	John Schwartz assault	50	15
	Chas Hines vio ord	5	
3	Joshua Williams cruelty to animals	10	10
	Joseph Smith drunk	5	5
	Newman Sparks assault	10	10
	John Cooper drunk	5	5
4	John Henderson ..	5	5
	Anna Ferris ..	5	5
	James Giddens ..	5	5
	Ernest Soule ..	10	10
	Wm Morgan ..	5	5
	Wm Stiles petit larceny	25	
	Robert Tirle drunk	10	10
	Nellie Hartwell ..	10	5
	Wm F Hunt ..	10	10
	Frank Erbecker vio ord	10	10
	Rob't Leonard cruelty to animals	10	10
	Davi- F Robertson fraud	cost	5
5	Mich Burns drunk	5	
	Fannie Moore vio. ord.	25	
	John Johnson drunk	10	10
	Eliza Catdell ..	10	
	Ann Prescott ..	5	
	Emma Barton ..	10	
	Wm Carroll vio. ord.	10	10
	Libbie Earls assault	10	
	Terrance Yaman drunk	10	
	George Elbs assault	25	25
	Catharine Elbs ..	25	25
6	Mahaley Ware petit larceny	10	
	Deal McLaughlin drunk	5	
	Geo W Patterson, cruelty to animals	10	10
8	Mary Keegan drunk	10	
	Henry Yonker ..	10	10
	John Doian ..	5	
	Tohn Corcoran ..	10	10
	Mich. Slattery ..	10	10
	James O'Connors ..	10	5
	John Maher ..	10	5
	Mark Van Every ..	5	
	Fred Titenberg ..	5	5
	Albert Carpenter, cruelty to animals	10	10
9	Louis Brittenger drunk	cost	3
	David F Robertson fraud	cost	3

	Jamds McGovern assault	10	5
	Fred Ruffer ..	10	
	Sam'l Kay ..	10	10
	John Marron ..	20	20
	Henry Christie ..	10	5
10	Walter C Tully drunk	5	5
	Thos H Bailey ..	5	
	Thos Mulroy ..	10	
	John Doberfin assault	5	5
11	Wm Holden drunk	5	5
	John Yost assault	5	5
12	John McRoden drunk	5	
	Albert Millard vio. ord.	10	
	John Hayes ..	10	
	Edward Farrell drunk	5	
13	Peter Flannigan cruelty to animals	10	10
15	James Lysaght petit larceny	3	3
	Wm Brown drunk	10	10
	James Berger ..	5	5
	Rosa McBride selling liquor Sunday	50	50
	Adelbert McDonald, cruelty to animals	5	5
	Mary J. Mitchell assault	2	
	Martin McNamara drunk	5	2
16	Eliza Bushler ..	10	5
	Martin McNamara ..	5	5
	Richard Patterson assault	10	5
17	John Keegan drunk	10	
	Henry Gebbing ..	10	10
	James Harter vio. ord.	5	
	Tobias Hamman drunk	10	9
18	John Povers ..	5	
	Wm Williams ..	5	2 50
	John Wheeler ..	5	2 50
	Wm Maher ..	5	3
19	Owen McCormick ..	5	4 50
	Lillie Kelle ..	10	
	Joseph Hart ..	5	
	Hannah Hurley ..	10	
20	Thos. Riley ..	5	5
	Mary Wright ..	5	
22	Frank Burke ..	10	10
	Fred. Grah ..	10	10
	John Kagan ..	5	5
	John Daly ..	10	
	Tona Sullivan vio. ord.	25	26
	Carrie Cambell ..	25	25
	James Dempsey ..	25	10
	Barney Hayden ..	5	
	Geo. Ertle petit larceny	25	
	Patk. McKenna drunk	10	
	Peter Dopper assault	10	5
	Mary Fitts old fine	10	20
23	Chas. McNamara drunk	5	5
	John Corcoran ..	10	10
	Ida Bell ..	10	
	Mich. Dwyer ..	10	10
	Mich. Cunningham ..	5	
	Ellen Cunningham ..	5	
	Elizabeth Stoller assault	10	10
24	Peter Craig ..	10	10
	Thos. Harris vio. ord.	25	
25	James Bruce drunk	10	
	Bridget Bruce ..	10	
	Dan. Mack ..	5	5
	John Cutler exposing his person	25	
	Bridget Riley vio. ord.	10	10
26	Frank Reed drunk	10	
	Lizzie Hart ..	10	
	Ira W. Andrews ..	10	5
	John Horn cruelty to animals	10	
27	Ered. Fox, Jr. drunk	10	5
	Fred. Jensick cruelty to animals	10	10
29	Chas. Osborn drunk	10	
	Jesse W. Wilson ..	10	
	Minnie Kelley ..	5	
	Solomon Stocking ..	10	10
	Paul Baker ..	10	
	Nellie Stebbinf ..	10	
	Sam. Goulding ..	10	10
	Frank A. Cullen vio. ord.	25	
	James McGuire ..	25	
	Frank Mulvey ..	25	
	Mary Hess ..	25	
	Jennie McGuire ..	25	
	Mary Erskin ..	25	
	Patk. Dorsey drunk	5	5
	Ceas. Schulz petit larceny	10	5
	John A. Traver cruelty to animals	10	10
35	John Martin drunk	10	10
	James Barry petit larceny	50	
	Pat. Boyd drunk	19	5
	Fine by Commissioners		30

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of September, 1879, is true.

B. FRANK ENOS, Clerk.
 Sworn to before me this 7th day of Oct., 1879.
 PETER SHERIDAN,
 Commissioner of Deeds.
 Ordered received, filed and published.

By Ald Hart, bill of
Alex. McLean, expenses for Sept.....\$88.71
Referred to the Police Committee.

By Ald. Hart—
To the Honorable the Common Council:

GENTLEMEN.—You are respectfully invited by the Police Commissioners to participate in the Inspection and Review of the police on Friday afternoon next, Oct. 10th, 1870, at 3 p. m., in front of the Court House.

By order,
B. FRANK ENOS, Clerk.

Accepted.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. FitzSimons, from the Special Committee on Rearranging Lamps; Ald. Otis, from the Health Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Edleman, from the Park Committee; Ald. Weaver, from the Committee on Rearranging Lamps; Ald. Hart, from the Police Committee, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., Oct. 7, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

MONTHLY PAY ROLL FOR SEPTEMBER, 1879.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	233 33
Albert G. Wheeler City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth,	150 00
Wm. Mahar,	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Duell,	150 00
M. H. McMath, Clerk	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building..	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. E. Parsons, Draughtsman	60 00
W. J. Stewart, Chairman	40 00
Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office....	58 34
E. W. Williams,	116 66
James H. Wilson, services in	62 56
Warham Whitney	54 17
Union and Advertiser, printing.....	23 25
.....	7 50
.....	6 00
.....	19 00
.....	84 60
Rochester Printing Co.,	
C. E. Morris & Co., stationery.....	
And charge that fund.	

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO SEPT. 1ST, 1879.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Rockwell,	41 67
Dr. J. J. A. Burke	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. July.....	41 67
Porter W. Taylor,	41 67
Edward E. Bausch,	41 67
Paris G. Clark,	41 67
Joseph Schutte, Overseer, disbursements.....	67 00
Home for the Friendless, board of inmates to Oct. 1st.....	109 00
Jacob Howe & Son, bread and crackers.....	99 13
B. O'Rielly, burials.....	62 50
John Hart, shoes.....	114 80
C. Herzberger, meat.....	150 00
Gales & Co., meat.....	50 00
Fleckenstein Bros., bread and crackers.....	46 34
Williamson & Higbie, stationery.....	8 37
And charge that Fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO OCT. 1, 1879.

Sam'l Donnelly, Supt. Board Health, salary..	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
F. J. Irwin, messenger.....	25 00
Henry M. Heindol, Keeper of Hope Hospital..	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
John Christie, Insp'r.....	50 00
Orin Harris, Insp'r.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher	45 00
C. A. Jeffords, garbage contract to Oct. 1, 1879,	
E. S.	125 00
Bradley & Co., garbage contractor to Oct. 1,	
1879, W. S.	150 00
And charge that fund.	

LAMP DEPARTMENT FUND.

Howe & Snyder, lamp cocks.....	\$ 16 50
And charge that fund.	

PARK FUND.

F. Knapp, labor on parks to Oct. 1.....	\$30 00
James Edleman,	30 00
Pat. Newbombe,	30 00
Jos. Horton,	30 00
Dan. Goulding,	30 00
Jas. Jordan	30 00
Mutschler Bros., drinking fountain.....	93 55
And charge that fund.	

CITY PROPERTY FUND.

Goggins & Knowles, repairs and cleaning.....	\$ 27 50
Geo. W. Aldridge, labor and materials.....	194 46
John B. Snyder, plumbing, &c.....	26 00
F. J. Irwin, monthly cleaning.....	83 20
And charge that fund.	

POLICE DEPARTMENT FUND.

Fred Zimmerman, Police Commissioner, quarter salary to Oct. 1, 1879.....	\$ 125 00
Jacob Howe, Jr., Police Commissioner, quarter salary to Oct. 1, 1879.....	125 00
Geo. Truesdale, Police Justice salary mo. Sept.	166 66
Consumers' Ice Co., ice	22 50
Mensing & Stieker, letter heads.....	13 20
Howe & Rogers, matting.....	58 85
And charge that fund.	

POLICE PAY ROLL FOR SEPTEMBER, 1879.

Alex. M'Lean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes	75 00
W. J. Rogers	75 00
Thos. Lynch,	75 00
Peter Lauzer, Jr.,	75 00
P. C. Kavanagh.....	75 00
Ferry Marzluff.....	75 00
Thos. A. Burchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker	75 00
John P. Chalmers.....	75 00
Frank B. Allen.....	65 00
W. R. M'Arthur.....	65 00
John J. Garrett, 28 days.....	60 76
Jacob Frank.....	65 00
John C. Haydon.....	65 00
John Wangman.....	65 00
Hugh Johnston, 29 days.....	62 33
John H. Dana.....	65 00
Ed. Van Vorst.....	65 00
Hugh Clark.....	65 00
John C. M'Quatters.....	65 00
Wm. H. White.....	65 00
Thos. F. Hurley.....	65 00
Patrick H. Sullivan.....	102 00
Chas. M'Connick.....	75 00
Jos. S. Roworth.....	75 00
Wm. F. Lush.....	65 00
Barth. Crowley.....	65 00
Robt. Burns	65 00
Ralph Barton.....	65 00
Jacob Hart, 29 days.....	62 33
Thos. Crouch.....	65 00
Andrew Connolly.....	65 00
Wm. P. O'Neil.....	65 00
Benj. C. Furthur.....	65 00
Wm. H. Keith.....	65 00
John H. Wordell.....	65 00
B. Horcheler.....	65 00
John Mitchell, 24 days.....	52 08
Robt. M'Kee.....	65 00
Chas. E. Fowier.....	65 00
Michael Brady.....	65 00
Wm. M'Kelvy.....	65 00
Joseph Lester, 29 days.....	62 33
Wm. H. DeWitt.....	65 00
Nicholas J. Loos.....	65 00
Fred. Griebel.....	65 00

Robert Sloan.....	65 00
Peter Bohrer, 12 days.....	26 04
Samuel Schwartz.....	65 00
Jas. A. Johnson, 28 days.....	60 76
Thos. Dukelow.....	65 00
Park. Hoctor.....	65 00
George Smit.....	65 00
Lewis Jessner.....	65 00
Frank Vahue, 28 days.....	60 76
Michael Cain.....	65 00
Wm. H. Burgess.....	65 00
Michael Hynes.....	65 00
Chas. Hart.....	65 00
Frank D. Ray, 29 days.....	62 93
Ed. Hofner.....	65 00
James P. Flynn.....	65 00
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove, 29 days.....	62 93
Michael Wolf, Jr., 28 days.....	60 76
John M. Reis.....	65 00
Charles W. Peart.....	65 00
Wm. Laragy.....	65 00
Louis No'dt, 29 days.....	62 93
Jerry Waig.....	65 00
Ed. McDonough.....	65 00
Oliver Oliver, 29 days.....	62 93
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	63 60
Daniel Goulding, Jr., 28 days.....	60 76
Patrick Holloran, 14 days.....	30 38
Henry Grauen.....	65 00
Chas. Sietford.....	65 00
Mich. Hyland.....	65 00
Frank Markey.....	60 00
B. Jacob Enos, Clerk of Commissioners.....	116 67
Examined and approved.	

C. R. PARSONS,
FRED K. ZIMMER,
JACOB HOWE, JR.,
Commissioner.

Adopted by the following vote :
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.
By Ald. Otis—

To the Common Council of the City of Rochester :

GENTLEMEN : The labor and responsibility of the Excise Board having greatly increased since its organization last May, being occupied with daily sessions for over two months at the beginning of the year and sessions every day since. We have also been compelled to sit, aside from this, as a quasi court under the statute, for the hearing and determining of offences committed under the law. This has occupied much time and attention and added much care and responsibility to the duties of the Board. Almost every day is taken up with either our personal visit to places to be licensed, in all parts of the city, or applications for the same by different persons.

Taking into consideration the population of a city of 90,000 inhabitants, with its varied interests, chief among which is the care and supervision of its excise matters and the responsible duties imposed under the law, we find that the salary is inadequate and ask your Honorable Board to consider the question of an increased compensation.

BOARD OF EXCISE,
City of Rochester.

October 6, 1879.
Referred to the Excise and Police Committees.

REPORTS OF SPECIAL COMMITTEES.

By Ald. Hebing—
To the Common Council of the City of Rochester :

Your Law Committee to whom was referred the petition of James H. Kelly and others relating to the action now pending against them in the Supreme Court, would report :

That upon inquiry we find the facts stated in said petition substantially correct. That at

a regular meeting of the Common Council held December 28th, 1875, a resolution offered by Ald. Westbury was adopted instructing the Finance Committee to make arrangements for a proper recognition and celebration of the first day of the incoming centennial year, and which authorized them to expend not to exceed \$250 for the same.

Your petitioners were each members of said Committee (except Law S. Gibson, who was then Chief Engineer of the Fire Department), and in pursuance of said resolution made arrangements for and had a celebration, which was participated in generally by all classes of citizens residing in the city, and during the ceremonies of the celebration the plaintiff received the injuries complained of.

He brought his action first against the city to recover damages for the alleged injuries, and the case was carried to the Court of Appeals, where it was decided against him. He now brings an action in the Supreme Court against the petitioners and seeks to hold them individually responsible for the injuries thus sustained.

The petitioners, being members of the Common Council and having been instructed by a resolution of that body to make arrangements and carry out a celebration suitable and proper for the occasion, had no other alternative but to perform their duty in that respect.

There is no pretense that they did not perform that duty faithfully and properly and that the arrangements which they adopted and carried out were not suitable and proper for the occasion, nor can it be shown that the injuries complained of were the result of any overt act of your petitioners jointly or individually, or that the performance of any part or portion of the programme adopted by them for said celebration tended in the slightest to contribute to the injuries aforesaid.

Your committee believe the city should protect its officers while faithfully performing a duty imposed upon them by the Common Council, and can see no reason why in the case before us it is not bound by every reason of honor, justice and equity to defend your petitioners, who were then officers of the city and acting in good faith under instructions from that honorable body. The committee therefore offer the following resolution for action :

Resolved, That the City Attorney be and he hereby is directed to appear for the defendants in the action now pending in the Supreme Court wherein Richard Smith is plaintiff and James H. Kelly and others are defendants, and defend the same to the best of his ability for the city of Rochester, and that all necessary expense for defending said action be paid by the city and charge contingent fund.

HENRY HEIBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Adopted.

Ald. Vay presented the following :

To the Hon. Common Council :

Your Special Committee, to whom was assigned the duty of adjusting the differences existing between the American Union Telegraph Company and certain property owners in Monroe avenue, concerning the erection of telegraph poles in said avenue, would report : That they visited the locality, calling on the

persons individually in front of whose property poles were placed. The following named persons had given their consent and were satisfied with the work of the company: Messrs. Montgomery, Harrold, Johnson, Bell, C. T. Crouch, Harrold, Fowler, Greene, Heberling, Wiggings, Mrs. White, Mrs. Wicks. Mr. Demmer and Mr. Draper stated that they had not given consent, one qualifying it with the remark that he did at first consent, but subsequently withdrew it. Mr. Oriup, Mr. Harrold and Mr. Kyle could not be found, but occupants of their houses stated that consent had been given by two of the three. Your Committee found that in several instances the places for setting the poles had been designated by the property owners, and that the conduct of the employees of the company had been gentlemanly and accommodating. At the suggestion of your Committee the objectionable poles were removed and located where permission had been obtained to place them. Your Committee could not find that injury or damage had been done to the shade trees on the avenue or that there was likely to be any done. The company signifies its willingness to make good any damage to the trees caused by them. Respectfully submitted.

E. B. CHACE,
RUDOLPH VAY,
PHILIP WICKENS,
WILLIAM H. TRACY,
E. K. WARREN,
Committee.

Ald. Vay moved that it be received, filed and published. Adopted.

Ald. Mandeville presented a remonstrance accompanied with affidavits of several persons.

By Ald Mandeville—Whereas, The American Union Telegraph Company have erected and are erecting telegraph poles and wires on Monroe avenue without the written consent of property owners of said avenue and not in accordance with the terms and conditions of the resolution, in regard to that subject, adopted by this Board at the last regular meeting thereof; and,

Whereas, Property owners of said avenue have remonstrated against the erection of such poles and wires, and demand the removal of such thereof as have been erected. Now, therefore,

Resolved, That no more telegraph poles or wires shall be erected on said Monroe avenue, and that such poles and wires as have been erected on said avenue shall be immediately removed therefrom. And said company is hereby required to remove the same, and in case said company shall refuse or neglect to remove the same within five days then the Executive Board and Street Superintendent are hereby required to remove said poles and wires from said Monroe avenue immediately and without delay.

Hon. John Van Voorhis and others were heard.

Ald. Hart moved that all persons speaking on the subject be limited to five minutes each in time. Adopted.

Ald. FitzSimons moved that Geo. P. Draper be allowed further time to present his law points.

Ald. Mandeville moved that the resolution limiting to five minutes be reconsidered.

Lost by the following vote:

Ayes—Ald. Otis, Hebing, Mandeville, Wickens, Weaver—5.

Nays—Ald. Tracy, FitzSimons, Westbury, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—11.

Ald. Hart moved that Mr. Draper be allowed five minutes more. Adopted.

Ald. Westbury in the chair.

Ald. Knobles moved that the resolution of Ald. Mandeville lie upon the table until the next regular meeting.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Warren, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—11.

Nays—Ald. FitzSimons, Otis, Hebing, Mandeville, Weaver—5.

Ald. Knobles, from the Committee on Opening and Alteration of Streets, reported progress in the matter of Goodman street opening and asked for further time, which was granted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF SEPTEMBER.

To the Honorable the Common Council of the City of Rochester.

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing September 1st, and including Sept. 23th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Dolaney, Matthew, 36 Mill st	\$ 40
Zurn, Philip, 128 Orange st	20
Ranber, Stephen, 26 1/2 N. Clinton st	20
Campbell, Sarah, 77 W. Main st	20
Kreuser, Charles, 186 N. Clinton st	30
Robinson, Jas S., 146 E. Main st	30
Gaylan, Marcia, 83 Orchard st	20
Sullivan, John R., 8 E. R. ave	20
Waly, Saloma, cor Smith and Whitney st	20
Raby, George, 182 W. ave	20
Niggle, Emil, cor Goodman and Bay sts	20
Boehm, John, 54 N. St. Paul st	20
Deitz, Geo. A., 18 N. Water st	20
Cook, Andrew A., 315 State st	20
Freedman, Joseph, 39 Lyell st	20
Kreig, Wladim, 14 1/2 St. Joseph st	40
Maltzahn, Wm., 4 Bay st	20
Stokes, John, Maple and Luk sts	20
Knowles & Simpson, 37 Lyell st	20
Rathburn, Wm. E., 164 State st	20
Swetman, Sam'l B., 71 Front st	20
Ude, August, 116 St. Joseph st	20
Mathews & Servis, 36 W. Main st	50
Mehl, George, 106 Exchange st	20
Grover, Leavitt B., 114 W. Main	40
Nientimp, Ignatz, 70 St. Joseph st	40
Metzinger, John, 252 Jay st	30
Hanna, John, Orchard and Lime sts	20
Sweeting, Luther T., University ave, N. E. R.	40
Hyde, John, 22 Exchange place	20
Keenan, James, So. ave and Munger	20
Hofner, Frank, Exchange st	4
Farquhar, Harry T., 224 W. Main st	20
Schroedel, August, 9 Hawkins st	30
Fritsch, Magdalena, 201 Monroe aae	20
Kuder, Christian, 43 Wilder st	20

Tota' amount received and deposited with City Treasurer.....\$ 990
Dated Rochester, Sept. 29th, 1879.

STATE OF NEW YORK, }
County of Monroe, } ss.
City of Rochester. }

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of the city of Rochester, in said County, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the

moneys received from September 1st to September 29th, 1879, inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,
Excise Com'rs.

Sworn to before me this 29th day of September, 1879.
PARIS G. CLARK, Commissioner of Deeds.
Ordered received, filed and published.

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

The undersigned, Commissioners duly appointed by an order of the Monroe County Court, bearing date the 15th day of August, 1879, a certified copy of which is hereunto annexed, to inquire into and determine what damages and compensation the owners of the lands to be taken for the opening of a street through the Hair property, from Goodman st. to East Main street, in the city of Rochester, would respectfully report: That having been duly sworn to faithfully discharge their duties according to the provisions of the Revised Charter of the said city of Rochester, and having given and published ten days public notice of the time and place of their meeting to enter upon their duties, the said Commissioners at the time and place so appointed, met and entered upon the discharge of their duties; that they thereupon proceeded to take a personal view and examination of the lands proposed to be taken for said improvement and said Commissioners further report that they have examined many witnesses and have heard the proofs and allegations of the persons interested in said improvement, and after due deliberation thereon they have unanimously agreed to appraise and do hereby appraise the damages which the owners of the land to be taken for said improvement will sustain by being deprived thereof and the compensation which they should severally receive therefor, as follows, viz.:

To James and Florence Hair, owners of the following premises, viz. : A strip of land (60) feet in width, lying easterly and northerly of and adjoining the following described line: Beginning at a point on the south line of East Main street eighty-four (84) feet east of the west line of the Hair property, thence southerly in a curved line to intersect with the southerly line of the said Hair property, thence easterly along the southerly line of the said Hair property to the west line of Goodman street, reference being had to a map of said property in the City Surveyor's office, the sum of four thousand dollars..... \$4,000

To James and Florence Hair owners, or to Martin W. Cooke lessee and occupant, for the fruit trees, ornamental trees, grape vines, shrubbery and fence thereon, the sum of one hundred and fifty dollars (\$150)..... 150

To George A. Stone, lessee and occupant of a portion of said premises, the sum of twenty-five dollars (\$25)..... 25

Total amount of award four thousand one hundred and seventy-five dollars (\$4,175).....\$4,175

Whole number of days employed by each Commissioner, eight.

All of which is respectfully submitted.
ROCHESTER, Sept. 26, 1879.

JAMES VICK,
SAM'L WILDER,
ISAAC F. QUINBY,
Commissioners.

At a regular adjourned term of the Monroe County Court, held at the Court House, in the city of Rochester, and county of Monroe, and State of New York, on the 25th day of August, 1879, present, Hon. William C. Rowley, County Judge of Monroe county, in the matter of opening a street through the Hair prop-

erty from Goodman street to East Main street, in the city of Rochester, an application having been made to this court for the appointment of commissioners to inquire into and determine what damages and compensation the owners of the lands to be taken for the improvement mentioned will be entitled to receive for the same. On reading and filing the stipulation showing due publication and service of notice, as required by section 168 of the charter of the city of Rochester, and after hearing M. W. Cook, Esq., of counsel for the owners of the property to be taken for said improvement, and A. G. Wheeler, Esq., attorney for the city of Rochester, ordered that Samuel Wilder, James Vick and Isaac F. Quinby, each freeholders of said city, and not interested in any of the land described in such notice, nor of kin to any owner or occupant thereof, be and they hereby are appointed commissioners to inquire into and to determine what damages and compensation the owner or owners of the lands to be taken for said improvement will be entitled to for the same.

[Copy] JAMES COCHRANE,
Special Deputy Clerk.
Ordered received, filed and published.

EXECUTIVE BOARD,
OFFICE, CITY HALL, Oct. 1, 1879. }

To the Honorable the Common Council :

I have the honor to transmit herewith :
1. A statement showing the expenditures of the Executive Board for all purposes during the month of September, 1879, accompanied by condensed summaries of finance budgets and weekly payments.

2. A balance sheet showing the condition of the several funds in the charge of the Executive Board at this date.

Respectfully, your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of Executive Board.

Ordered received, filed and published.
EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
CITY HALL, Rochester, N. Y., Oct. 1, 1879. }

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD DURING THE MONTH OF SEPTEMBER, 1879.

Funds Charged.	Amounts.
Highway	\$4,936 97
Sidewalk Repair	87 70
Salary and Expense	499 58
Hudson St. Improvement	4,047 00
Main Street (East)	7,548 00
Manson street Plank Walk	5 00
East Ave., sec. 1 Sprinkling	40 00
Do sec. 2	25 00
Do sec. 3	150 00
Meigs street	35 00
Park avenue	25 00

Total amount credited account of City Treasurer.....\$17,389 25
(Official) FRANCIS P. KAVANAGH,

Clerk of Executive Board.
EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
CITY HALL, Rochester, N. Y. Oct. 1, 1879. }

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 30th day of September, 1879.

Debit Balances.	
City Treasurer.....	\$14,449 66
Sidewalk Repair Fund.....	1,894 19
Hudson Street Improvement.....	9,098 00
E. Main Street Improvement.....	7,605 50
Favor Street Pipe Sewer.....	1,069 79
Sundry Street Sprinkling Funds, in number	2,092 50
Tracy Park Opening Fund.....	96 50
Cr. Balances :	
Highway Fund.....	30,731 22
Macadam Stone Fund.....	1,333 81
Salary and Expense Fund.....	4,236 11

\$36,301 14 \$36,301 14
(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER. }
Office, City Hall, Sept. 30, 1879. }

Summary of payments in month of September, 1879,
as per Finance Budgets:

Weekly pay rolls, am't of 4 rolls.....	\$2,465 19
Catharine D. Jones, rent of yard.....	100 00
A. H. Kasseall, stabling.....	20 40
A. Weniger, rep. harness.....	95
Geo. S. Ball, sundries for sweeper.....	1 00
Littlefield & Seifried, nails.....	2 50
Chase & Otis, lumber.....	38 25
J. C. McKenzie, horse shoeing.....	6 00
W. W. McKindley & Son, nails.....	2 45
J. Eisenbauer, stone.....	11 00
J. C. Mason, sprinkling McCracken.....	18 00
Geo. B. Harris, services, 4 weeks.....	61 86
W. H. Gorsline, rent of dump'g gr'd.....	25 00
James Field, drapery for office.....	5 00
A. G. Yates, coal for roller.....	9 00
J. R. Chamberlin, sundries do.....	6 01
George Liese, erroneous shoveling tax.....	3 00
Julia Sauer.....	50
Samuel M. Stewart, wagon.....	40 00
Hollister & Co. oak lumber.....	1,858 46
W. I. Hamford, labor and material.....	4 15
Mack & Co. sledge.....	5 70
J. H. Van Ingen, use of wagon.....	2 00
B. S. Dowd, repairing crosswalk.....	4 50
F. P. Kavanagh, clerk, dish'ments.....	5 00
Geo. Miller, sand and gravel.....	11 75
Hamilton & Mathews, lantern.....	75
H. A. Klugsley & Co., nails.....	2 50
D. Clancy, gravel.....	26 40
E. C. Campoell, do.....	5 70
H. L. Fish, sup't, pay of bridge opr's.....	90 00
G. W. Dockstader, repairing grate.....	1 50
Connell & Dengler, rep. roller & swp'r.....	39 08
P. Burke & Co., reducers for spr'klers.....	16 19
C. H. Mordoff, lumber in arch.....	2 16
Chase & Otis, for bridges.....	28 05
Benj. McFarlin, by resolution of C. C.....	28 09
Total	\$4,986 97

Sidewalk Repair Fund.

J. W. McKindley & Son, nails.....	\$2 50
Littlefield & Seifried, nails.....	2 60
Chase & Otis, lumber.....	10 04
City Treasurer, 2 erroneous assessments.....	15 94
Isaac Goldwater, error in assessment.....	3 37
Jas. H. Moore, labor 22 days @ \$1 50.....	33 00
Peter Reeder, " 3 ".....	4 50
W. B. Davis, " 10% ".....	15 75
Total.....	\$77 70

Salary and Expense Fund.

F. P. Kavanagh, salary.....	\$166 67
F. C. Lauer, Jr.....	166 66
Rochester Printing Co., printing and stationery.....	106 25
Total	\$439 58

Hudson Street Improvement.

F. C. Lauer, contractor, estimate—	
Time order, 1 year.....	\$1,338
2 years.....	1,338
Cash order.....	1,338
Total.....	\$3,999 00
John Quin, inspector, 4 pay-ments, 24 days, at \$2.....	48 00
Total.....	\$4,047 00

East Main Street Improvement.

Whitmore, Rauber & Vicinus, contractors, estimate—	
Time order, 1 year.....	\$2,500
2 years.....	2,500
Cash order.....	2,500
Total.....	\$7,500 00
B. F. Butler, inspector, 4 pay-ments, 24 days, at \$2.....	48 00
Total.....	\$7,548 00

Mansion Street Plank Walk

W. M. Webb, earth.....	\$ 5 00
------------------------	---------

Street Sprinkling Funds.

East avenue, sec. 1, pd. A. W. Turn-bull, contractor.....	\$ 40 00
East avenue, sec. 2, pd. A. W. Turn-bull, contractor.....	25 00
East avenue, sec. 3, E. Weller, con-tractor.....	150 00
Meigs street, pd. J. M. Hinolf, con-tractor.....	35 00

Park avenue, pd. J. Adamson, con-tractor..... 25 00

Total..... \$275 00
Total payments..... \$17,389 25
[Official.] FRANCIS P. KAVANAGH,
Clerk of the Executive Board.

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to ac-count of Highway fund as per Finance Budgets in the month of September, 1879, embracing the time from August: 29th to September 25th, inclusive:

Kind of service.	Time.	Days.	Price.	Amt.
August Burbott, laborer.....	28 $\frac{1}{2}$	1 00	26	75
Jacob Browne.....	22 $\frac{1}{2}$	1 00	22	50
Patrick Boyle.....	16 $\frac{1}{2}$	1 00	16	50
Patrick Ball.....	9 $\frac{1}{2}$	1 00	3	25
Chas Bushallac.....	24 $\frac{1}{2}$	1 00	24	25
Henry Bushollac.....	1	1 00	1	00
Valentine Brasch, carpenter.....	22 $\frac{1}{2}$	1 50	33	75
John Boylan, laborer.....	5	1 00	5	00
Hugh Boylan.....	9	1 00	9	00
Patrick Boylan.....	17 $\frac{1}{2}$	1 00	17	75
Joseph Caverish.....	8 $\frac{1}{2}$	1 00	8	25
John Coolihan.....	20 $\frac{1}{2}$	1 00	20	75
Patrick Carroll.....	5	1 00	5	00
Thomas Cusick.....	5	1 00	5	00
Christian Connors.....	5	1 00	5	00
John Corcoran.....	4	1 00	4	00
John Cappon, steam roller.....	24 $\frac{1}{2}$	1 50	36	37
Zach. Colby, laborer.....	1	1 00	1	00
Cornelius Corlan.....	3	1 00	3	00
James Connors.....	2	1 00	2	00
James Cox.....	2	1 00	2	00
James Daly.....	19 $\frac{1}{2}$	1 00	19	75
Martin Doherty.....	2	1 00	2	00
Andrew Dietrich.....	23 $\frac{1}{2}$	1 00	23	75
George Davis, paver.....	6 $\frac{1}{2}$	1 25	7	81
David Donovan, laborer.....	3	1 00	3	00
Martin Dougherty.....	1	1 00	1	00
John Dwyer.....	1	1 00	1	00
Charles Diet.....	11	1 00	11	00
Edward Farley.....	7 $\frac{1}{2}$	1 00	7	50
Joseph Freidel, foreman.....	24	2 00	48	00
Michael Feeney, laborer.....	9	1 00	9	00
John Ford.....	4 $\frac{1}{2}$	1 00	4	75
James Farley, sweeper.....	21	1 25	26	25
Samuel Fisher, laborer.....	11	1 00	11	00
Thomas Fischeoltz.....	6	1 00	6	00
John Geib.....	24	1 00	24	00
Jacob Geib.....	20	1 00	20	00
James Gosnell.....	8	1 00	8	00
William Gleason.....	11 $\frac{1}{2}$	1 00	11	25
Dominic Gallagher.....	8 $\frac{1}{2}$	1 00	8	50
Ferd. Gottschalk.....	9 $\frac{1}{2}$	1 00	9	50
John Gosnell.....	8	1 00	8	00
Joseph Hubert.....	6 $\frac{1}{2}$	1 00	6	75
William Hart.....	4	1 00	4	00
Joseph Harraty.....	11 $\frac{1}{2}$	1 00	11	25
John Hickey.....	2	1 00	2	00
Dan'l Harrington.....	4 $\frac{1}{2}$	1 00	4	50
Wm. L. Hamford, for'n.....	2	1 50	3	00
Michael Hart, laborer.....	6	1 00	6	00
Patrick Hennessy.....	11 $\frac{1}{2}$	1 00	11	50
Andrew Keller.....	22	1 00	22	00
Martin Kilp-ck.....	18 $\frac{1}{2}$	1 00	18	50
John Keef.....	12 $\frac{1}{2}$	1 00	12	50
Adam Keller.....	20 $\frac{1}{2}$	1 00	20	50
Thomas Kanole.....	7 $\frac{1}{2}$	1 00	7	25
Peter Klose.....	15 $\frac{1}{2}$	1 00	15	50
John Kavanagh foreman.....	15 $\frac{1}{2}$	1 25	19	69
Michael Kelley laborer.....	2	1 00	2	00
John Kelly.....	1	1 00	1	00
John Knorr.....	5	1 00	5	00
John Leverage paver.....	1	1 25	1	25
Wm Lawrence laborer.....	6	1 00	6	00
John Lavis.....	1	1 00	1	00
Pat'k McDermott.....	2	1 00	2	00
Ed McMenomy mason.....	20	1 50	30	00
Wm McIntyre paver.....	18 $\frac{1}{2}$	1 25	23	12
John McMahon laborer.....	14 $\frac{1}{2}$	1 00	14	50
Edward McMahon.....	4	1 00	4	00
Jas McGuire.....	9	1 00	9	00
Patrick McVay.....	3	1 00	3	00
John McCormick.....	11	1 00	11	00
Thomas McNally.....	6	1 00	6	00
Thomas McKenna.....	11 $\frac{1}{2}$	1 00	11	50
Pat'k J McMenomy p'vr.....	5 $\frac{1}{2}$	1 25	6	87
Hugh McGovern laborer.....	1	1 00	1	00
Patrick Murray.....	9	1 00	9	00
Michael Muquien.....	15	1 00	15	00
Michael Murray foreman.....	2	1 50	3	00
Michael Maley laborer.....	9 $\frac{1}{2}$	1 00	9	50
J. s H Moore inspector.....	11 $\frac{1}{2}$	1 50	17	25
Andrew Nolan laborer.....	10 $\frac{1}{2}$	1 10	10	50
Philip Newell carpent' r.....	17 $\frac{1}{2}$	1 50	25	87
Terence O'Brien, laborer.....	2 $\frac{1}{2}$	1 00	2	50
William O'Brien.....	4	1 00	4	00
Miles O'Donnel.....	8	1 00	8	00

Jacob Oster	12	12 00
Conrad Ott	23 3/4	28 25
John Palsio	7 3/4	7 75
John Pyle	11 3/4	11 50
Henry Parks foreman	12 1/2	1 50
John Pierce laborer	3	3 00
John Quilliam	1	1 00
Edward Quinn	4	4 00
Hugh Quinn	17 3/4	1 50
Matthew Quinn laborer	10 1/2	26 25
Stephen Roth	2	2 00
Rudolph Raski	8 3/4	8 75
Nicholas Reider	24	24 00
Jason Root	21 1/2	21 50
Peter Reeder, carpenter	21 1/2	1 50
Obed M. Rice, inspector	1 1/2	2 25
Patrick Ryan, laborer	6	1 00
Jeremiah Sullivan	0	10 75
Charles Stenschel	23 3/4	18 00
Joseph Sturm	12	12 00
John Stanton	9	9 00
John Stechel	7	7 00
Michael Sullivan	15 3/4	15 75
Dennis Sheban, steam roller	24 3/4	1 50
John Schroth, laborer	2 1/2	1 00
Frederick Tapps	11	11 00
Jeremiah Trent, foreman	17 3/4	1 50
Wm Thomas, laborer	4	1 00
James Taff	6	6 00
Cornelius Vroman, sweeper	9	1 25
John Weining, laborer	14 3/4	1 00
Thomas Wray	0	14 00
Valentine Wolf	1	1 00
Jacob Weber	12	12 00
John Wunch	2	2 00
William Kraft, toolman	4 wks 9 00	36 00
Wm J Steinhauer, clerk	4	11 54
Patrick J Dowling, Superintendent	4	26 92
Edwin Ames, team	14	3 00
John Armstrong,	23	69 00
Peter Bayer,	21	63 00
John Barry,	8	24 00
James W. Breakey, on sweeper	8	2 00
George Comons,	12	3 00
George Crissy,	4	12 00
Henry H Cram,	7	21 00
John Curtin,	5	15 00
John Eisenhauer,	16	48 00
Joseph Eble,	12	36 00
Benjamin Fischer,	17 3/4	53 25
Peter Harraty,	23 3/4	68 25
William Hollis,	11	33 00
John Kennedy,	11	33 00
Dennis Kelly,	11	33 00
John Knob,	3	9 00
James Logan,	4	12 00
Michael Miller,	15 3/4	45 75
Martin May,	1	3 00
John McDermott,	9	27 00
Peter Oliver,	15 3/4	47 25
Patrick Rossney,	12	36 00
John Roche,	3	9 00
John Slatery,	9 3/4	29 25
John Smith,	13 3/4	34 50
John Stuppe,	69	69 00
Louis Schneider,	11 3/4	35 25
Ernst Streiding,	1	3 00

Total as per street pay rolls. \$2,465 19
 I certify that the foregoing summary of pay rolls is correct.
 FRANCIS P. KAVANAGH,
 Clerk of Executive Board.

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
 ROCHESTER, N. Y., Oct. 1, 1879.

To the Common Council:
 I transmit herewith as required by law :
 Statement showing expenditures by this Board in the month of September, 1879, and the condition of the several funds in the charge of this Board at this date.

Respectfully, your obedient servant,
 V. FLECKENSTEIN, Clerk.
 CITY OF ROCHESTER,
 OFFICE OF WATER WORKS AND FIRE BOARD,
 CITY HALL, ROCHESTER, N. Y., Oct. 1, 1879.

STATEMENT of expenditures by the Water Works and Fire Board in the month of September, 1879, and of the condition of the funds in charge of the Board at this date :

DISBURSEMENTS.	
Water Works Fund.....	\$4,055 61
Water Pipe Fund.....	8,778 4
Fire Department Fund.....	4,167 91
	\$17,001 76
Amount of orders credited to City Treasurer.	17,001 76
MONTHLY BALANCE SHEET—CONDITION OF FUNDS.	
City Treasurer, Dr. Balance.....	\$43,252 49
Water Works Fund, Cr. Balance.....	\$3,406 84

Water Pipe Fund,	9,693 03
Water Works Special Fund,	1,515 47
Fire Department Fund,	28,637 15
	\$43,252 49
	\$43,252 49

[Official.] V. FLECKENSTEIN, Clerk.
 OFFICE OF WATER WORKS AND FIRE BOARD,
 City Hall, Oct. 1, 1879.

DETAILED STATEMENT
 Of Expenditures by the Water Works and Fire Board during the month of September, 1879.

Finance Budget—Water Works Fund.

September 5.	
Woodbury, Morse & Co., oil.....	\$ 28 13
T. J. Neville, office disbursements.....	18 26
J. Forbes Potter, water lime.....	5 00
A. E. Hartman, on contract for house.....	150 00
Western Union Tel. Co. telegraphing.....	65
Pay Roll, Hemlock Lake.....	10 88
.. Distributing Reservoir.....	16 50
.. Service repairs, etc.....	98 00
C. A. Phillips, coal.....	14 00
A. G. Yates.....	3 50
Geo. B. Harris, labor in office.....	9 59
H. S. Allis, coal.....	1 62
John Colbert, repairing wagon.....	15 50
Co-operative Foundry Co., drinking basins.....	32 00
J. W. McKinley & Co., hardware.....	14 39
	\$ 412 52

September 12.	
L. Edelman, coal at Livonia.....	77 10
Pay Roll, Distributing Reservoir.....	15 00
.. Service, repairs, &c.....	104 13
.. House at Rush.....	123 50
Hunn & Ganzler, repairing chairs.....	2 25
German Insurance Co., insurance.....	3 75
Geo. B. Harris, labor in office.....	9 59
N. Y. C. & H. R. R. Co., freight.....	30
J. R. Chamberlin, agt., waste.....	10 64
L. W. Brandt, printing.....	9 00
Vacuum Oil Co., oil.....	5 00
J. B. Martin, stone at Rush.....	13 50
H. T. King, ice for office.....	11 00
B. F. Blackall, disbursements.....	23 92
	\$ 408 68

September 19.	
Pay Roll, Hemlock Lake.....	\$14 37
.. Distributing Reservoir.....	5 00
.. Service and repairs.....	92 00
J. Gallentine, expenses in suit.....	125 00
V. Fleckenstein, clerk, expenses in suit.....	150 62
James Hart, repairing harness.....	9 51
J. B. Colman, corporation cocks.....	85 00
A. H. Kasseall, stabling horses.....	58 00
Geo. B. Harris, labor in office.....	9 59
T. J. Neville, office disbursements.....	13 65
A. E. Hartman, on contract for house.....	600 00
Flour City Loan Ass'n error, water tax.....	19 88
Cooper, Jones & Caddbury, plum furnace.....	7 50
	1,170 12

September 26.	
Monthly pay roll, operating expenses.....	\$1,231 67
Pay roll, conduit line.....	60 54
.. service, repairs &c.....	80 75
.. labor at S. Reservoir.....	67 81
.. Hemlock Lake.....	10 00
Rochester Printing Company, printing reports &c.....	94 87
Geo. B. Harris, labor in office.....	9 59
C. C. Woodworth, salary.....	166 67
V. Fleckenstein, salary.....	166 67
C. H. Mordoff, lumber.....	5 11
C. Burke & Co., castings.....	95 61
Browns Race Co., assessment.....	75 00
	2,064 20

Total pay't. from Water Works Fund \$4,055 61
 Finance Budgets—Water Pipe Fund.

September 5.	
S. J. Wagoner, delivering pipe.....	50 00
W. A. Anderson, inspecting pipe.....	105 81
N. Y. L. E. & W. R. R. Co., frt. bills.....	20 98
J. D. Casey, estimate group 41.....	1,000 00
John Howe, .. 54.....	100 00
Howe & Snyder, .. 44.....	240 00
Pay roll, labor.....	59 50
B. E. Brown, repairs to tools.....	1 00
Western U. Tel. Co., telegraphing.....	1 12
N. Y. C. & H. R. R. Co., freight bills.....	52 50
	1,630 91

September 12.	
A. C. Bowen, estimate group 43.....	100 00
Pay roll, labor.....	49 50
D. Clancy, estimate group 42.....	220 00
Howe & Snyder, .. 44.....	150 00
Druillard & Hayes, water pipe.....	2,627 79

Jas. Brackett,	520 00
N. Y. C. & H. R. R. Co., freight....	15 00
Water Works Fund, labor and expens	21 27
Water Works Fund, pipe and material	2,248 68
Total	5,952 24

September 19.	
A. C. Bowen, estimate group 43.....	160 00
N. Y. C. & H. R. R. Co., freight....	15 00
Pay roll, labor	44 00
John Howe, estimate group 45.....	150 00
Total	369 00

September 26.	
B. K. Brown, repairing instrument....	1 50
R. D. Wood & Co, hydrants.....	504 76
N Y C & H R R R Co, freight bills.....	15 00
P. Burke & Co., castings.....	56 75
E. Kuehling, expenses.....	4 70
Pay roll, labor.....	42 38
A. C. Bowen, estimate Group 43.....	150 00
John McMahon, service.....	52 00
Total	826 09

Total payments from Water Pipe Fund..... \$3,778 24

Fire Department Fund—Finance Budget.

September 5.	
L. S. Gibson, repairing hose.....	\$1 35
Thos. J. Neville, disbursements (office)	6 90
C. H. Morse, stencils.....	2 25
L. S. Gibson, expenses.....	60 00
L. S. Gibson, washing bills.....	14 10
S. Moulson, soap.....	1 30
J. C. McKee, shoeing horses.....	40 37
A. H. Weniger, repairing harness.....	26 76
Rochester Gas Light Co., gas.....	12 50
J. C. Cowles, castings.....	6 94
Chase & Otis, lumber.....	63 68
J. B. Snyder, repairing stove.....	1 05
Total	173 95

September 12.	
L. Fox, 2 bills oats.....	\$29 30
J. Sherry, trace links.....	4 00
S. M. Stewart, repairing apparatus...	392 05
Clague & Wegman, printing.....	2 50
Schuyler, Hartley & Graham, fatigue caps.....	42 57
Thos. Brooks, repairing harness.....	16 10
B. F. Blackall, repairing telegraph....	15 99
Total	502 59

September 19.	
George Krampf, oats.....	\$16 04
Robert Howard, oats.....	21 21
Brewster, Gordon & Co., soda.....	42 00
Schantz, Minges & Shale, furniture....	24 00
James Field, supplies.....	4 46
Total	107 71

September 26.	
Monthly pay roll, officers and men....	\$2,266 33
Alert Hose Co., appropriation.....	285 00
Active Hose Co.	135 00
Protectives	385 00
J. B. Dowd, advanced in August and deducted from August pay roll.....	10 00
Geo. C. Maurer, rope	17 64
W. W. Averill, labor and material....	14 86
J. C. Cowles, castings.....	9 76
L. S. Gibson, disbursements.....	6 80
A. D. Glover, painting apparatus.....	4 42
Barnum & Co	43 00
Roch. Printing Co., printing reports..	47 38
Snell & Dengler, repair'g apparatus	8 20
Cherlock & Sloan, plumbing.....	11 31
Smith, Perkins & Co., horse brushes..	4 87
54th Regt. Band, music at parade....	70 00
J. Emory Jones, labor and materials..	27 00
L. W. Wehn, hay and straw.....	36 01
C. H. Mordoff, lumber.....	48
Total	\$3,388 66

Total payment from Fire Department Fund \$4,167 91

WATER WORKS AND FIRE BOARD.

OFFICE CITY HALL, Oct. 1, 1879.

Detailed Statement of Pay Rolls included in Finance Budgets of this Board, passed in month of September, 1879:

WATER WORKS DEPARTMENT.

Service, Repairs, Etc.

Sept. 5, 1879.			
P. C. Fleming.....	1 wk	\$12 00	\$12 00
J. King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
F. McKenna.....	1 ..	9 00	9 00
H. Weber.....	1 ..	9 00	9 00
E. A. Maher.....	2 days	2 00	4 00
W. Fogarty.....	1 day	1 50	1 50
J. Gallagher.....	6 days	1 25	7 50
P. McKenna.....	6 ..	1 25	7 50
P. Leck.....	6 ..	1 25	7 50

E. Farley.....	4 ..	1 50	6 00
Hugh Quin.....	1 ..	1 50	1 50
T. O'Brien.....	1 ..	1 00	1 00
Total			96 00

Distributing Reservoir.

Sept. 5, 1879.			
Robert Long.....	6 days	1 50	9 00
W. Mann.....	1/2 day	1 00	50
E. Mann.....	1 ..	1 00	1 00
E. Stevenson.....	6 ..	1 00	6 00
Total			16 50

Hemlock Lake.

Sept. 5, 1879.			
C. Connors.....	5 1/2 days	1 25	6 88
Fortune Connors.....	1 day	1 25	1 25
Ed. Westrook.....	2 days	1 00	2 00
W. Proctor.....	1/2 day	50	25
Total			10 38.

Water Pipe Extension.

Sept. 5, 1879.			
Byron Holley.....	5 days	3 00	15 00
G. A. Hotchkin.....	6 ..	1 75	10 50
E. A. Maher.....	4 ..	2 00	8 00
W. Fogarty.....	6 ..	1 50	9 00
W. McCarthy.....	6 ..	1 50	9 00
E. S. Armstrong.....	4 ..	2 00	8 00
Total			59 50

Service Repairs, &c.

September 12, 1879.			
E. A. Maher.....	1 week	\$12 00	\$12 00
P. C. Fleming.....	1 ..	12 00	12 00
John King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
F. McKenna.....	1 ..	9 00	9 00
H. Weber.....	1 ..	9 00	9 00
J. Gallagher, worked over time.....	9 days	1 25	11 25
P. McKenna, worked over time.....	7 ..	8 75	8 75
P. Leck, worked over time.....	7 ..	8 75	8 75
August Rubert.....	1 1/2 ..	1 88	1 88
Total			\$104 13

Dist. Reservoir.

September 12th, 1879.			
Robert Long.....	6 days	1 50	9 00
E. Stevenson.....	7 ..	1 00	5 00
Robert Mann.....	1 day	1 00	1 00
Total			15 00

Hemlock Lake.

September 12th, 1879.			
Charles Connors, Jr.....	1/2 day	1 25	62
Charles Connors, Sr.....	6 days	2 00	12 00
Charles Proctor.....	1 day	1 25	1 25
T. M. Blossom, expenses			50
Total			141 97

Storage Reservoir.

September 12th, 1875.			
Jas. Spellman.....	23 days	1 00	23 00
M. Fahy.....	18 ..	18 00	18 00
Wm. Curran.....	14 ..	7 00	7 00
John Hayes.....	1 ..	14 10	14 10
John Spellman.....	6 1/2 ..	1 00	6 50
Thomas Hays.....	18 ..	3 00	54 00
Total			19 25

Water Pipe Extension.

September 12th, 1879.			
Byron Holley.....	4 days	3 00	12 00
G. A. Hotchkin.....	6 ..	1 75	10 50
W. McCarthy.....	6 ..	1 50	9 00
W. Fogarty.....	6 ..	9 00	9 00
S. E. Armstrong.....	6 ..	9 00	9 00
Total			\$4 50

Service, Repairs, &c.

September 19th, 1879.			
P. C. Fleming.....	1 week	12 00	12 00
J. King.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. McKenna.....	1 ..	9 00	9 00
H. Weber.....	1 ..	9 00	9 00
E. A. Maher.....	2 days	2 00	4 00
J. Gallagher.....	7 ..	1 25	8 75
F. McKenna.....	7 ..	8 75	8 75
P. Leck.....	6 ..	7 50	7 50
W. McCarthy.....	1 ..	1 50	1 50
Total			92 00

Distributing Reservoir.

September 19, 1879.			
Robert Long.....	2 days	1 50	3 00
E. Stevenson.....	2 ..	1 00	2 00
Total			5 00

Water Pipe Extension.

September 19, 1879.			
Byron Holley.....	2 days	3 00	6 00
Geo. A. Hotchkin.....	6 ..	1 75	10 50
E. A. Maher.....	4 ..	2 00	8 00

W. Fogarty.....	6	1 50	9 00
S. E. Armstrong.....	2	..	3 00
W. McCarthy.....	5	..	7 50

Service, Repairs, &c.

September 26, 1879.			
P. C. Fleming.....	1 week	12 00	12 00
F. Curran.....	1	10 60	10 50
L. T. Lidster.....	1	..	10 50
H. Weber.....	1	9 00	9 00
John King.....	5½ days	1 25	8 25
E. A. Maher.....	1 day	2 00	2 00
F. McKenna.....	4	1 50	6 00
J. Gallagher.....	6	1 25	7 50
P. McKanna.....	6	..	7 50
P. Leck.....	6	..	7 50

Storage Reservoir.

September 26, 1879.			
James Spellman.....	10¼ days	1 25	12 81
John Spellman.....	7¾	..	9 69
Michael Fahy.....	12¾	..	15 94
Thomas Hays, team.....	4	3 00	12 00

The following men were paid short in pay-roll entered as of Sept. 12 :

M. Fahy.....	18 days	25	4 50
W. Curran.....	7	..	1 75
Ed. Casey.....	14	..	3 50
John Hayes.....	1 day	..	25
John Spellman.....	6¼ days	..	1 62
James Spellman.....	23	..	5 75

CONDUIT LINE—Sept. 26, 1879.

Wm Thompson, 26 days \$1.25.....	\$32 50
E W Oviatt, 13	16 37
Edw Coyne, 5 .. 1 50	7 50
S. H. Oviatt, expenses.....	3 67

HEMLOCK LAKE—Sept. 26, 1879.

Chas Connors & hp'r 5 days \$2 00.....	\$10 00
----------------------------------------	---------

WATER PIPE EXTENSION—Sept. 26, 1879.

Geo. A. Hotchkis, 3¼ days 1 75.....	\$6 13
E. A. Maher, 5 .. 2 00	10 00
W. Fogarty, 6 .. 1 50	9 00
W. McCarthy, 6 .. 1 50	9 00
James Kane, 3¼ .. 1 50	5 25
Byron Holley, 1 day 3 00	3 00

OPERATING EXPENSES—MONTHLY PAY ROLL, Sept. 26, 1879.

J. N. Tubbs, Chief Engineer, 1 month.....	\$233 34
E. Kuichling, Assistant Engineer, 1 mo.	133 33
T. H. Rogers, daughtsman, ¼ mo.	1 37 3/4
T. J. Neville, Clerk, 1 month	100 00
C. A. Padley, Receiver, 1	75 00
T. H. Rogers, ass't do ¾	55 00
W. N. Tubbs, Clerk, 1	40 00
L. M. Mandeville, do 1	50 00
S. C. McKay, Supt. of Repairs, 1 do	90 00
Henry C. Smith, Engineer, 1 do	75 00
J. J. Healey, Helper, 1 do	45 00
F. J. McCracken, Helper, 1 do	45 00
D. S. Almstead, Gate Keeper, 1 do	50 00
C. W. Almstead, Gate Keeper, 1 do	40 00
Alexander Gray, Gate Keeper, 1 do	40 00
T. M. Blossom, Gate Keeper 1 do	40 00
R. Crennell, Overseer, conduit 1 do	60 00
S. H. Oviatt, Overseer conduit 1 do	60 00

FIRE DEPARTMENT FUND.

MONTHLY PAY ROLL—OFFICERS AND MEN—SEPTEMBER 26, 1879,	\$1,231 67
-------------------------------------------------------	------------

L. S. Gibson, Chief Engineer.....	\$120 00
J. Malcom, Assistant	38 33
B. F. Blackall, Supt. F. A. Telegraph	112 50
J. P. Foreman, Sup't Hose Dept	60 00
P. J. Hartel, eng'r and fore'm'n No. 1	60 00
M. Lambert, driver	50 00
J. Bauer, hoseman	50 00
Thos Cole,	50 00
John Colbert,	50 00
Frank A. Jaynes, foreman No. 2	55 00
Charles Weaver, driver	50 00
F. C. Whitbeck, hoseman	50 00
J. B. Teller,	50 00
E. H. Mix,	50 00
J. P. Topham, engineer No. 3	60 00
C. Armstrong, driver	50 00
J. McCormick, hoseman	50 00
Charles Little,	50 00
Owen Lynch,	50 00
Sam'l Bemish, foreman No. 4	55 00
Bernard Kearney, driver	50 00
Leo White, hoseman	50 00
George E. Baker,	50 00
J. McMullen,	50 00
Joseph Ringelstein, foreman H. & L. No. 1.....	25 00

J. Plunkett, ass't	55 00
Thos Rice, tillerman	55 00
E. H. Roark, driver	50 00
James Snider, ladderman	41 00
P. O'Neara,	50 00
J. E. Finzer,	50 00
Frank Huck,	50 00
Wm Boon eng'r and fore'm'n H. & L. No. 2.....	60 00
Dani O'Neil tillerman	55 00
M S Butler, driver	50 00
Frank Spears ladderman	50 00
Thos. Whitley	50 00
Chas Schafer	50 00
Jerome P Dowd, eng'r and for'mn Chem Ext'r	60 00
Nicholas Oldfield pipeman	60 00
R Pendlebury driver	50 00
Edmund Barkey	50 00

Total \$2,266 83

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, Oct. 9th, 1879.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 7th day of October 1879, as required by section 59 of the City Charter:

Credit Balances.

Continent Fund.....	\$39,105 27
Police Fund.....	25,906 08
Lamp Fund.....	27,206 91
Poor Fund.....	26,575 90
Park Fund.....	456 32
Board of Health Fund.....	4,149 07
Home for Truants Fund.....	9 10
City Property Fund.....	3,629 51
Search Department Fund.....	656 65

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 7th day of October, 1879.

PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published

By Ald. Hebing—

CITY ATTORNEY'S OFFICE,
ROCHESTER, N. Y., Oct. 7, 1879.

To the Honorable the Common Council:

GENTLEMEN: Yesterday I received from my predecessor in office, J. Breck Perkins, Esq., the annexed communication, which I bring before you for your consideration. The facts in relation thereto are these: Just after my appointment to the office of City Attorney the then law committee at a regular meeting of your Board, held on the 11th day of June, 1878, offered the following resolution, which was adopted:

Resolved, That all actions, proceedings and appeals by or against the city now pending be turned over to the new City Attorney except as the Law Committee, with his assent, may otherwise advise and direct.

(Signed)

THOMAS C. MONTGOMERY,
J. W. MARTIN,
E. HUNTINGTON,

Committee.

In pursuance of that resolution the Law Committee, with my assent, retained and requested Mr. Perkins to prosecute for the city the appeals then pending in the Court of Appeals, and also to defend the actions referred to in his communication. He has done so to the present time. He desires that his compensation for the same be fixed, which I think is reasonable and proper.

All of which is respectfully submitted.

A. G. WHEELER, City Attorney.

ROCHESTER, N. Y., Oct. 6, 1879.

A. G. Wheeler, Esq.:

Dear Sir—The two cases of Raines against the City have always been left in rather an uncertain shape. They are cases of difficulty and importance, and I don't wish to have the labor and responsibility of trying them unless upon a definite agreement for satisfactory compensa-

tion. The cases will probably have to be disposed of this Term, and as your Law Committee meets to-night I wish you would be kind enough to inform them of the position of these cases and say that I will try them for \$150 each. If they desire me to do so I wish their resolution to that effect. If they don't I wish to turn the papers over to you at once or to such other persons as they may direct. Yours truly

J. B. PERKINS.

By Ald. Hebing—Resolved, That J. B. Perkins be, and he hereby is retained and requested to defend the two actions now pending in the Supreme Court—one in favor of Thomas Raines and the other in favor of Mary Raines (his mother) against the City, at the stipulated price of \$150 for each case tried.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—14.

ACTION ON ORDINANCES.

PLANK WALK ON DRAYTON STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk on the north side of Drayton street, from Hudson street to North street.

Adopted.

The Surveyor submitted as such estimate, \$300.

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

The construction of a plank walk 4 feet wide on the north side of Drayton street, from Hudson street to North street.

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

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

One tier of lots on the north side of Drayton street, from Hudson street to North street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, October 21st, 1879, at half past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

OLD SCHOOL HOUSE NO. 5 FLAG WALK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a flag-stone walk on Jones street, in front of old school house No. 5.

Adopted.

The Surveyor submitted as such estimate \$165.

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

The construction of a flag-stone walk five feet wide in one course on Jones street, in front of old school house lot No. 5.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$165, which estimate is hereby approved.

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

Old school house lot No. 5.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Oct. 21st, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

UPTON PARK FLAG WALK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a flag walk four feet wide in one course on each side of Upton park from East avenue to University avenue; also the necessary crosswalks.

Adopted.

The Surveyor submitted as such estimate \$2,000.

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

The construction of a flag stone walk four feet wide in one course on each side of Upton park, from East avenue to University avenue; also the necessary crosswalks.

And Whereas, The City Surveyor, under the direction of this Council, 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, viz. :

One tier of lots on each side of Upton park from East avenue to University avenue, including the property owned by C. C. Merriman.

And further Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows :

One-third of the amount assessed within thirty days after the advertisement of the Assessment Roll; one-third of the amount within one year from the confirmation of said Roll; and the remaining one-third within two years from the confirmation of said Roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874 of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, October 21, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard

Adopted.

EXECUTIVE BUSINESS.

The resignations of J. R. Stevenson and James Gosnell as inspectors of election, 14th Ward, were accepted.

On motion of Ald. Weaver the Board proceeded to ballot for inspectors of election to supply vacancies.

Cyrus F. Cook, Thomas Gosnell, from the 14th Ward, and Nicholas Berna, from the 1st district of the 11th Ward, having received the requisite number of votes, were declared elected for the districts designated.

On motion of Ald. Mandeville the Board proceeded to ballot for Commissioner of Deeds, and the following named persons having received the requisite number of votes were declared elected : Charles F. Pond, Darius L. Covill, A. N. Fitch, Thomas B. Outerbridge.

MISCELLANEOUS BUSINESS.

By Ald. Warren—Whereas, John Bowman, of this city, having been detained away from home to a late hour, and having with him on his return a sick lady on the night of Friday, October 3d, did drive over Vincent street bridge at a faster rate than a walk, contrary to the ordinance; and,

Whereas, On complaint said John Bowman was fined in the Police Court in the sum of \$25; therefore, be it

Resolved, That the Police Justice be requested not to enforce the judgment.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chase, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Hart—Resolved, That the Executive Board be requested to place a cross walk on Thomas street crossing Bernard street.

Adopted.

By Ald. Hart—Resolved, That the City Surveyor be directed to prepare an ordinance for the construction of a plank walk in front of school house lot No. 26. Adopted.

By Ald. Hart—Resolved, That the Clerk draw an order on the Treasurer for \$135 in favor of William H. Cheney, President of the Society for the Prevention of Cruelty to Animals, that being the amount in the Treasury to

October 1st, 1879, belonging to that Society and charge Police Fund.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Ald. Knobles presented the following assessment rolls, and moved their confirmation :

Improvement of White street.

Putman street sewer.

Allen street plank walk.

University avenue walk.

Pipe sewer in Draper street.

Pipe sewer in Ringlestein alley.

Wadsworth street plank walk.

Evergreen Place plank walk.

Pipe sewer in Orange street.

Flag walk on East Main street.

Plank walk on Park avenue.

Allen street improvement.

Helena street walk.

Lincoln street plank walk.

Allen street approaches.

Allen street lift bridge.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Edelman—Resolved, That the Citizens Gas Company are hereby requested to lay their gas mains on Chatham street, from Nassau to Baden streets. Adopted.

By Ald. Vay—Resolved, That Henry Bosold be granted a license to sell fresh meat, corner Campbell and Child streets, until the 1st of July, 1879, on his paying into the Treasury the sum of \$1. Adopted.

By Ald. Vay—Resolved, That the New York Central and Hudson River R. R. Co. be requested to repair its plank walks on King street, and the Clerk is requested to notify said company to that effect. Adopted.

By Ald. Mandeville—Resolved, That M. Lee & Co. be granted permission to sell fresh meat at 217 East Main street until the 1st of July, 1879, on paying into the City Treasury the sum of \$1. Adopted.

Ald. Mandeville moved that the City Surveyor be added to the Committee on Opening and Alteration of Streets in consideration of the Goodman street opening. Adopted.

Ald. Chace presented the petition of Joseph Earley, Jr., for permission to erect a wood building and moved that it be granted. Adopted.

By Ald. Chace—Resolved, That the Water Works and Fire Board lay water mains in Ambrose street from Lake avenue east about 150 feet, and through ——— alley, a two inch pipe, when there are funds applicable. Adopted.

By Ald. Chace—Resolved, That the Water Works and Fire Board be instructed to lay water pipe in Saratoga avenue from Lorimer street to the north line of Vernon street, about 900 feet when there funds applicable. Adopted.

Ald. Hart moved that the City Attorney defend the city in the suit Fitchner vs. the City of Rochester. Adopted.

By Ald. Crouch—Resolved, That the Fire and Water board lay water pipe in Savannah street from George to Court street, when there are funds applicable. Adopted.

Ald. Otis moved that the City Property Committee confer with the Board of Supervisors in regard to selling the land owned by the city contiguous to the distributing reservoir and report. Adopted.

Ald. Fitz Simons moved to suspend the rule for fifteen minutes to adjourn at 11 o'clock.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—14.

Nays—Ald. Vay—1.

Ald. Fitz Simons moved that the City Attorney present an opinion at the next meeting in regard to the validity and effect of the veto of His Honor the Mayor presented and acted upon at the last meeting. Adopted.

By Ald. Tracy—Resolved, That the Clerk be directed to draw an order on the City Treasurer in favor of the National Gas Light Co. for \$566.67, for lighting and care of naphtha lamps for month of September. and charge Lamp Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Hebing, Crouch, Chambers, Chace, Wickens, Edelman, Knobles, Hart—11.

Nays—Ald. Otis, Mandeville, Weaver—3.

By Ald. Tracy—Resolved, That the Clerk draw an order on the City Treasurer in favor of Leary & Co. for thirty dollars, the full amount of their bills as rendered, and charge Contingent Fund.

Ald. Tracy moved as an amendment that the Clerk draw an order for fifteen dollars and that the balance named in the resolution be referred to the Finance Committee to report.

Adopted by the following vote :

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Knobles, Hart—10.

Nays—Ald. FitzSimons, Otis, Hebing, Weaver—4.

The original motion as amended was then adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Knobles, Hart—10.

Nays—Ald. FitzSimons, Otis, Hebing Weaver—4.

On motion of Ald. Crouch the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Oct. 21st, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Tracy—Bills of

National Gas Co., lighting and care of lamps for October	\$ 561 00
Citizens' Gas Company, resetting posts.....	88 00
Rochester Gas Co., gas and care of lamps for October	1727 00
Citizens' Gas Co., gas and care of lamps for October	2234 59
Charles A. Jeffords, lighting and care of lamps	710 79

Referred to the Lamp Committee.

By Ald. Otis—Petition of Lovell Hamlin for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Otis—Petition of Thomas S. Lynn and James Campbell in regard to the surities of John F. Montgomery, and moved that the matter be referred to the Law Committee.

Ald. Hebing moved as an amendment that the petition be referred to the Finance Committee. Adopted.

By Ald. Crouch—Bills of

Adolph Nolte, printing.....	\$ 40 00
Fred Wurtz, meat.....	50 00
W. & J. M. Aikenhead, soap and candles.....	120 63
E. R. Andrews, printing for Excise Commissioners.....	10 00
H. Laugnicht, meat.....	100 00
Daniel Loeb, flour.....	292 50
A. Boss, shoes.....	11 50
N. L. Brayer, meat.....	50 00
Patrick Joyce, burials.....	25 00
P. Eagan, groceries.....	13 60
James Laney & Co., wrapping paper.....	39 66
Smith, Perkins & Co., groceries.....	217 54
Joseph Schutte, Overseer's disbursements.....	91 31
C. H. Finch, ice.....	10 00
John B. Hahn, meat.....	12 30

Referred to the Poor Committee.

By Ald. Chambers—Bills of

Benford & Stewart, maps.....	3 50
James Day, backhires.....	3 00
Mensing & Stecker, printing.....	6 00
C. S. Kenyon, sibbon for stamp.....	15 00
S. H. Oviatt, expenses in suits.....	15 00
Williamson & Hgbie, stationery.....	25 47

Referred to the Contingent Expense Committee.

By Ald. Chambers—Petition of Owen McCabe for remission of tax. Referred to the Assessment Committee.

By Ald. Chambers—

To the Honorable Common Council of the City of Rochester :

GENTLEMEN : We the undersigned residents and property owners on Litchfield street have just learned that you intend closing Litchfield street by the elevated tracks. We therefore object, and do hereby earnestly protest against the closing of said street, and we do insist upon the right to pass along said street either over the tracks or under them, and require the same privileges given to the inhabitants of King street.

Dated October 14, 1879.

- | | |
|----------------------|------------------------|
| E. F. Smith, | James Harrington, |
| J. Lovcraft & Son, | Wm. Lovcraft, |
| H. P. Wheeler, | Edward A. Cowley, |
| R. Renfrew, Jr., | F. H. Sinclair, D. D., |
| George Bastian, | pastor St. Peter and |
| Franklin Adset, | Paul's Church. |
| Frank A. Parker, | Fred. F. Boorman, |
| John M. Felsing, | Henry Bartel, |
| Jonas Jones, | Mary Baker, |
| Joshua B. Goodyear, | F. J. Murney, |
| Matthew Yeoman, | E. J. Keslen, |
| S. J. Vosburg, | J. N. Harder, |
| Mary Attridge, | N. I. Glenn, |
| Thomas Williamson, | E. Hanna, No. 165 |
| 161 Brown street; | Brown street; |
| Louis Stickline, 173 | John Barry, |
| Brown street; | Rachael Justice, |
| P. Eustace, | Margaret Lutweiller, |
| Helen B. Arnold, | Smith & Oberst, |
| S. Coleman, | Hanna Skuse, |
| Samuel D. Porter, | M. F. O'Dea, |
| B. S. Northrop, | J. F. Force, agent for |
| John Dufer, | heirs of Jacob Young; |
| Ed. Wilkins, | John Beazley, |

- | | |
|-------------------|------------------|
| L. Burgess, | John Renand, |
| Edward Sabin, | Sarah Geen, |
| Wm. B. Callester, | Geo. H. Royce, |
| Henry S. Mackie, | George A. Begy, |
| Josiah Wheeler, | W. J. Vosburgh, |
| | William Bingham. |

Ordered received, filed and published.

By Ald. Mandeville, bills of

Wray & Elwood, keys.....	\$1 79
A. H. Cork, brooms.....	2 50
R. H. Quinn, work on Front street building..	2 00

Referred to the City Property Committee.

By Ald Vay—Petition of Edward A. Cowley for permission to erect a wood building, and moved that the prayer of the petition be granted. Adopted.

By Ald. Vay—Petition for a plank walk on the north side of Lime street. Referred to the Improvement Committee.

By Ald. Vay—Petition of Geo. W. and M. A. Martin for a remission of tax. Referred to the Assessment Committee.

By Ald. Vay—Petition to abate a nuisance in a quarry on Brown street. Referred to the Executive Board.

By Ald. Edelman—Petition of C. Duerr for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act.

By Ald Edelman, bill of
Otis & Gorsline, material..... \$16 96

Referred to the Park Committee.

By Ald. Weaver, bills of	
Gilbert Brady, paving streets.....	\$ 78 00
Citizens Gas Co., rearranging lamps.....	143 16
Rochester Gas Co., rearranging lamps.....	134 68

Referred to Special Committee on Rearranging Lamps.

By Ald. Weaver—Petition of Lois H. Hanley in regard to property sold for taxes. Referred to the Law Committee.

Also a communication from M. W. Cooke and moved that the matter lie on the table. Adopted.

By Ald. Knobles—Petition of Mary Buckley for remission of taxes. Referred to the Assessment Committee.

Ald. Otis moved that the regular order of business be suspended and that the report of the Citizens Committee on Elevated Tracks be received. Adopted.

Ald. Mandeville in the chair.

Ald. Chace, from the Special Committee on Elevated Tracks presented the following report of the Citizens Committee and moved that it be tabled and that when the Board adjourns, it be to next Tuesday evening, when this subject shall be the special order, and that the Citizens Committee and citizens generally interested in the matter be requested to attend and participate in the discussion. Adopted.

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

At a public meeting held in the City Hall April 18th last to consider the difficulties then existing between the city and the New York Central & Hudson River Railroad Company, the following citizens were appointed a committee to confer with W. H. Vanderbilt, Esq., President of the railroad company, with a view to a satisfactory and permanent adjustment of the difficulties referred to :

- | | |
|--------------------|---------------------|
| George C. Buell, | Martin Briggs, |
| Charles J. Hayden, | William N. Sage, |
| James E. Booth, | William S. Kimball, |
| James Brackett, | H. H. Craig, |
| Patrick Barry, | J. B. Moseley, |
| Chas. FitzShmons, | H. Bartholomay, |
| | Geo. H. Thompson. |

(Mr. Thompson, owing to business engagements and an accident that impaired his health for some time, was unable to meet with us.)

The committee were met by and had joint meetings with a committee of your body, composed of Aldermen Chace, FitzSimons, Warren, Otis and Weaver.

The joint committees have had several meetings, but the first step in the progress made toward the relief desired, was to obtain an interview with Mr. Vanderbilt, which was had at the Osburn House on the evening of the 8th of May last. At that meeting formal specifications were presented of the dangers and difficulties the city were suffering from by reason of the violation of its ordinances and the almost reckless manner in which the railroad company transacted its business in the movement of engines and trains through the city.

It was then suggested to Mr. Vanderbilt that if the Railroad Company should carry its through freight—oil, coal and cattle trains—around the city the relief would be so great that the city could bear the burden of passenger trains and local freight traffic.

To this proposition Mr. Vanderbilt plainly stated that this would give but temporary relief, and the company could not afford to adopt this plan. The earlier proposed relief that depressed tracks would afford having been rejected, there was left the plan of elevated tracks, which was the only one the Railroad Company were willing to consider. After a good deal of discussion on the subject Mr. Vanderbilt promised to make a proposition soon for such an improvement. In due time the promised proposition was received to elevate tracks, if the city would remit the Railroad Company's taxes for ten years. This proposition was promptly rejected, and a personal interview was had with Mr. Vanderbilt in New York. The unwillingness of our citizens, as well as the constitutional difficulties in the way of giving the Railroad Company any aid, either directly or indirectly, were plainly stated, and Mr. Vanderbilt, then on the eve of his departure for Europe, promised on his return to make another proposition, and gave encouragement that he would in some way afford our people permanent relief.

On the 31st of July Mr. Vanderbilt, President of the Railroad Company, addressed the following letter to the Committee, with a proposition to build the elevated tracks, furnishing also a map and profile of the proposed elevation, which we herewith submit:

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD CO.,
GRAND CENTRAL DEPOT,
New York, July 31, 1879.

G. C. Buell, Esq., Chairman Rochester Committee.
DEAR SIR—I enclose you, herewith, the map and profile of the proposed elevation of the company's tracks through Rochester, and also, a memorandum of an agreement to be entered into between the city and the company. As the expense to be assumed by the company is very great if I understand you, alone, to do this work, it is necessary that all embarrassments, other than its cost, should be first removed.

The company will enter upon and complete this work upon the plans and pursuant to the provisions of the accompanying map and memorandum of agreement, whenever the city shall execute, on its part, a contract with the company for the above named plan and terms and shall have closed, permitted the use of, and changed the grade of the streets named in the agreement, as therein called for. The utmost diligence has been used in preparing the details required for this work, and I transmit them to you at the earliest opportunity.

Yours very truly,

W. H. VANDERBILT, President.

The New York Central and Hudson River Railroad Company propose to change the grade of the main line of their railroad in the city of Rochester, N. Y., so that there shall be no street crossings at grade, with their main tracks, between East Main street and the Erie canal, in accordance with the map and profile herewith submitted, and to complete the work within two years, exclusive of delays arising from legal impediments.

The change of grade shall commence at a point in the present grade about five hundred (500) feet easterly from Union street, and the new grade line from that point westerly to its intersection with the present grade at the Erie canal bridge, shall be placed at the elevations shown in the following table above the present street grade at corresponding points:

At Union street, two (2) feet above.
Hibbard street, five (5) feet six (6) inches above.
Sciò street, nine (9) feet six (6) inches above.
North street, twelve (12) feet above.
Hudson street, eleven (11) feet above.
Chatham street, nine (9) feet above.
St. Joseph street, ten (10) feet above.
Joiner street, eleven (11) feet six (6) inches above.
Clinton street, thirteen (13) feet six (6) inches above.
Pitt street, fifteen feet (15) feet above.
St. Paul street, two (2) feet six (6) inches above.
War street, thirteen (13) feet above.
Mill street, twenty (20) feet six (6) inches above.
State street, twenty (20) feet above.

Sophia street, seventeen (17) feet above.
John street, fifteen (15) feet six (6) inches above.
Kent street, fifteen (15) feet above.
Allen street, fifteen (15) feet above.

Ford street, twelve (12) feet six (6) inches above.
Broad street, nineteen (19) feet above.

It is understood that the term "grade" signifies the elevation of the bottom of the rails of the track and that the bridges supporting the tracks will extend from one (1) to three (3) feet below the rails and that where the height from the present grade to the proposed bridges is insufficient for ordinary wagon traffic, it must be increased by lowering the grade of the streets.

The roadbed shall consist of an earth embankment with side slopes of earth, or suitable retaining walls as may be found most expedient. Masonry abutments and iron bridges shall be constructed at all street crossings.

This proposal is made subject to the following conditions:

First—Union street and Hibbard shall be permanently abandoned and closed across the property of the railroad company and in lieu thereof the City shall open new streets on each side of the railroad from open street easterly to Alexander street and shall open Alexander street across the railroad and establish the grade thereof at a height sufficient to enable the railroad company to carry said street over their road upon a bridge.

Second—North avenue shall be abandoned at the crossing of the railroad and diverted into North street across the triangular lot owned by the railroad company, at the intersection of said street and avenue.

Third—The railroad company may occupy with their retaining wall so much of the northerly part of Atwater street, at its intersection of Water street, as is now occupied and covered by their present most southerly track, and if said company shall elect to purchase a triangular parcel of land from the southeast corner of Atwater and Water streets and devote the same to public use for street purposes, their retaining wall may be placed further south, but not so as to make said Atwater street less than fifty (50) feet in width.

Fourth—The wall to be placed on the southerly side of the lot between Mill and State streets, may be so placed that the street in front of Congress Hall, and the Waverly Hotel, will not be less than forty (40) feet in width.

Fifth—Otsego street, from a point fifteen (15) feet north of the south line of the railroad company's land to Centre street, shall be permanently closed, provided the railroad company shall dedicate to public use an alley fifteen (15) feet wide on the southerly side of their lands adjacent to Flint's saw factory, between said Otsego street and State street.

Sixth—The railroad company shall have the use of a strip from the south side of Centre square adjacent to their railroad, and not exceeding twenty-five (25) feet in width for the purpose of supporting the southerly slope of their embankment.

Seventh—Hunter's alley, between Ford and Brown streets shall be changed to conform to the proposed northerly wall of the railroad.

Eighth—The railroad company may move the wall on the south side of Tonawanda street, between Brown and Maple streets a distance not exceeding three (3) feet and six (6) inches northerly, and place the fence on the top of said wall and in line with the telegraph poles now standing in said street.

Ninth—The railroad company shall have the right to cross at grade such streets west of and including Ames street, as may be required for a connecting line between the main line and the Niagara Falls and Charlotte branches, and to lay two additional tracks on the north side of their present road across all streets west of Maple street.

Tenth—The iron bridges to carry the railroad tracks across the intersecting streets may in all cases be supported by iron columns placed outside of the curb line of the roadway, and whenever the width of the roadway, between said curb lines is thirty-four (34) feet or more (except in Allen street) a row of columns may be placed in the centre of said roadway.

Eleventh—In case the railroad company should deem it expedient, within ten years, to construct a connecting track from said elevated tracks to the present grade of the Niagara Falls branch at Platt street, it shall have the right to do so; and in order to carry this to be done, the city agrees to close and abandon Centre street from the present east track of the Niagara Falls branch westerly; Dean street, from John street westerly to the west line of the railroad property, and John street from the present south line of the railroad lands on Centre square, northerly to the present northeasterly track of the Niagara Falls branch, provided, however, that the said railroad company shall first acquire title to all lands on the westerly side of said John street, adjacent to the part thereof to be closed.

Twelfth—The elevated roadbed shall be built for four tracks, but the railroad company shall have the right to widen the same, or any part thereof, for two additional tracks whenever the business of the company shall require such additional facilities.

Thirteenth—Wherever the grade of the elevated roadbed is so low that any street crossing the same must be lowered to accommodate public traffic, the railroad company shall perform the work of lowering the street adjacent to their outcunents and the city shall perform the remaining part.

Fourteenth—During the progress of the work the city authorities shall extend to the railroad company all reasonable privileges required for its rapid and economical prosecution, and for the maintenance of traffic upon the railroad. And the Railroad Company shall avoid all unnecessary obstruction of streets and inconvenience to the public.

MEMORANDA

Of Alterations in Construction of Elevated Tracks through Rochester, as Proposed by Citizens' Committee.

First—Commencing the grade five hundred feet east of Union street, as proposed, the grade shall be changed as follows: The grade shall run to Scio street as proposed, and from thence to North street, giving an elevation above the present surface of the tracks of fifteen feet instead of twelve feet, and from thence to run on a level grade to Clinton street, and from thence to intercept your proposed grade at St. Paul street.

Second—Union street shall remain open, to be crossed at grade of street.

The plans and specifications were published in our daily papers in order that the Committee might ascertain, as far as possible, the wishes and feelings of our citizens in regard to the proposition.

After a free discussion of the whole subject, and an interview with Mr. Fisher the Chief Engineer of the Railroad Company, we submitted to the President, Mr. Vanderbilt, a proposition for several changes in his plans, such as seemed best in the opinion of the Committee, according to memoranda attached.

Third—North avenue shall not be closed, but the bridge so constructed as to have a width on the north side of at least one hundred feet, to accommodate both North avenue and North street.

Fourth—John street to be closed as proposed, provided the railroad company obtain title to all lands fronting on that portion of the street to be closed.

Fifth—In moving wall on Tonawanda street the roadway of street shall not be narrowed.

Sixth—The grade west of the Erie canal shall run level from the top of canal bridge to King street, so that the roadway on King street may be carried under the tracks.

Seventh—The bridge on State street to be a truss bridge of the span, and all floors of bridges to be made tight so as to prevent dripping of cinders, from falling through on persons passing underneath the same. The opinion of your committee is that it will be necessary to cross all streets by bridges without columns placed in the centre of streets.

Eighth—The city shall have right of way for a foot bridge on the company's land, from Water street to Mill street on south side.

Ninth—All slopes of embankment shall be seeded in grass and kept clean, and the grass closely cut.

A reply to the foregoing changes in the plans, under date of Oct. 3d, was received from Mr. Vanderbilt, with such alterations as the railroad company acceded to. Both letter and specifications are herewith annexed.

NEW YORK CENTRAL & HUDSON RIVER RR. Co.,
GRAND CENTRAL DEPOT,
NEW YORK, Oct. 3d, 1879.

Mr. G. C. Buell, Chairman, &c., Rochester, N. Y.:

DEAR SIR—My answer to your letter has been necessarily delayed until the Engineer could examine and estimate upon the modifications and changes suggested by you to our plans.

It was about six weeks before you replied to my communication and offer. These delays have carried us along to a period of enhanced prices, so that now the work will cost ten per cent. more than when I originally proposed to proceed at once, provided our plans were approved by you.

The changes you ask for will further increase the cost about the same per cent. Under the circumstances of this case, which have been heretofore fully stated in this correspondence, it does not seem right that the unusual and extraordinary burden we assume should be increased, unless the necessity is apparent and imperative.

I have endeavored to harmonize all difficulties and disagreements with the city, and think I have already gone as far as could be reasonably asked. But having entered upon this undertaking I desire to carry it forward in such a manner as to remove all cause for

present or future dispute between the city and this company.

I am, however, with such alterations of the changes you made to our plan as we can accede to. They are very considerable, and will add about ten per cent. to the expense. I trust that this will prove satisfactory and that you will at as early a day as possible notify me that the city has taken the necessary action in the premises. This is now a very important element in the probable cost of the work.

Yours, resp'y,
W. H. VANDERBILT,
President.

MEMORANDUM

Of modifications made by the New York Central and Hudson River Railroad Company to the "Memorandum of alterations in construction of elevated tracks through Rochester, as proposed by Citizens' Committee".

First—The grade at North street to be raised one and one-half (1½) feet above the grade shown on the original profile, and continued westerly on the same level to an intersection with the grade on the profile at a point between St. Joseph and Joiner streets.

Second—Union street to remain a grade crossing, the Railroad Company having the right to erect and maintain gates at the sides of the tracks if it so desires.

Third—The bridge at North avenue and North street to have a length of seventy-five (75) feet between abutments, measured on the line of the railroad tracks; the abutments to be parallel, and to be placed on such lines as the city authorities may prefer.

Fourth—The Railroad Company will acquire title to the lands fronting on the portion of John street that shall be closed.

Fifth—The roadway of Tonawanda street as now used shall not be narrowed, but the wall may be moved northerly to the present line of the telegraph poles.

Sixth—The tracks shall be carried over King street upon a bridge, provided the city will authorize the grade of Brown street at the railroad crossing to be raised two (2) feet, and will permanently close and abandon Litchfield street across the railroad lands.

Seventh—State street bridge to be a truss bridge of one span. The floors of all bridges to be made tight, so as to prevent dripping, etc. The North street bridge to be built without columns in the roadway, unless the requirements of railroad traffic should make them indispensable. All other bridges to be constructed as described in original proposition.

Eighth—The city shall have right of way for a foot-bridge and approach on Railroad Company's land, until such time as said land may be required for the use of the company, from water street to Mill street. Such right of way not to exceed ten (10) feet in width, and to be adjacent to the south line of the Railroad Company's land.

Ninth—The Railroad Company will seed down the slopes of exposed embankments, and keep them clean and in good order.

At a meeting of this Committee held on Monday evening, October 13th, the following resolution was unanimously adopted by the members present:

Resolved, That the Committee approve the plans and specifications of the New York Central & Hudson River Railroad Company as amended, and would recommend to the Common Council that they be accepted on the part of the city and a contract to this effect be entered into between the city and the railroad company agreeable thereto, but with the distinct understanding that all tracks between North avenue and the west line of Sophia street shall be permanently elevated, and that the railroad company assume the payment of all damages to private property by such elevation.

The whole subject of permanent relief to our city from obstruction of our streets, the safety of the lives of our fellow-citizens, and immunity from all accidents that are liable to occur at any time in passing over the numerous tracks, have all been under discussion and have been the governing motive in all we have done, and in arriving at the conclusions we have reached and the results we have accomplished.

The proposed plan of relief to the city by elevated tracks is one, among others, that has been well considered by previous committees during the past five years, but the railroad company have never before been willing to give us the relief that this plan affords, unless it is at their own expense.

We are aware that in some respects even more favorable conditions would be desirable, but where there are two contracting parties it is usually fair that there should be mutual concessions in the settlement of vexed questions.

On the whole, we believe that the proposition, as amended, is a fair one, the main very favorable to the city and one that your body should approve with as little delay as possible, and we recommend to you that a contract be executed with the railroad company

on the basis of the propositions made and the additional recommendations of our committee.

By reference to the correspondence attached, you will see the anxiety of the railroad company to commence the work at once. It is to be done, owing to increasing cost in the price of material and labor all of which is respectfully submitted.

Rochester, Oct. 20, 1879.

(Signed)

GEORGE C. BUELL, MARTIN BRIGGS,
WILLIAM N. SAGE, JAMES E. BOOTH,
PATRICK BARRY, H. H. CRAIG,
CHARLES J. HAYDEN, WM. S. KIMBALL,
JAMES BRACKETT, J. B. MOSELEY,
CHARLES FITZSIMONS.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Edleman, from the Park Committee; Ald. Weaver, from the Special Committee on Rearranging Lamps, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Warren—

To the Honorable Common Council:

GENTLEMEN: Your Assessment Committee, to whom was referred sundry petitions, after an examination of the same offer the following resolutions and recommend their adoption:

Resolved, That the Treasurer receive from S. S. Langworthy the amount of original tax upon her lot, corner of East avenue and Arnold Park, levied for East Avenue Improvement, with interest at 7 per cent. from the date of the confirmation of the assessment roll.

Resolved, That the certificate of tax sale held by the city for land sold, viz.: Lot 48, 100 acre tract, west side of Exchange street, be assigned by the Mayor to Joseph Medberry on his paying to the Treasurer the amount of taxes on said property, with accumulated interest.

Resolved, That the Treasurer receive from the representatives of the Keyel estate the amount of taxes assessed upon the property, with interest at 7 per cent. from the date of the confirmation of the assessment rolls.

Resolved, That the Mayor assign the certificate of tax sale held by the city on lot 23, Greig tract, 8th ward, to J. J. Tumilty on his paying the amount of original taxes and assessments, with accumulated interest.

Resolved, That the Treasurer remit to Fortune C. Brown the amount of assessment on \$1,500 on his property for general city taxes, said Brown being an ordained minister of the gospel and entitled by law to the exemption on the amount named and charge Eroneous Assessments.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Vay—Resolved, That Anna M. Theis, Hiram W. Martin and Jacob Traugott have permission to erect wood buildings in accordance with their several petitions, under the direction of the Wood Building Committee and Fire Marshal. Adopted.

To the Common Council of the City of Rochester:

GENTLEMEN—Your Committee on the Opening and Alteration of Streets, after a careful

examination, report adversely on the petition of Mr. Minges regarding the opening of a street from E. Main st. to Goodman st.

J. W. KNOBLES,
D. G. WEAVER,
Committee.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—15.
Nays—Ald. Vay—1.

FINANCE BUDGET.

ROCHESTER, N. Y., Oct. 21, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

F. X. Masseth, hack hire.....	\$16 00
J. W. McKindley, sledge for surveyor.....	2 75
Wm. Whitehair, hack hire.....	2 25
Rochester Star, publishing notices for September and October.....	50 00
Rochester Democrat, balance of account.....	85 00

POOR DEPARTMENT FUND.

S. B. Roby, rent of coal yard.....	\$87 50
Louis W. Brandt, printing.....	25 20
C. E. Woodward, Ag't, groceries.....	10 00
W. P. Buck, shoes.....	7 75
Wm. Puck, burial.....	12 00
Bulkley & Co., groceries.....	12 00
A. H. Cork.....	18 00
L. A. Wheeler, meat.....	100 00
Weitzel & Nlewarde, shoes.....	7 75
Louis Boss, bread and crackers.....	214 24
John Groh, shoes.....	2 50
P. H. Curran, meat.....	100 00
Geo. Schofield, transportation.....	16 72
St. Patrick's Orphan Asylum, board of inmates to Oct. 1st.....	708 77
Industrial school, board of inmates to Oct. 1st.....	766 52
City Hospital, board of inmates to Oct. 1st.....	1,004 25
Church Home, board of inmates to Oct. 1st.....	421 40
St. Mary's Orphan Asylum, board of inmates to Oct. 1st.....	934 85
Rochester Orphan Asylum, board of inmates to Oct. 1st.....	722 51
Home of Industry, board of inmates to Oct. 1st.....	165 23
St. Joseph's Orphan Asylum, board of inmates to Oct. 1st.....	871 54
St. Mary's Hospital, board of inmates to Oct. 1st.....	3,447 00
And charge that Fund.....	

LAMP DEPARTMENT FUND.

Gilbert, Brady & Co., repairing streets.....	\$118 92
Rochester Gas Co., re-arranging lamps.....	31 76
Citizens' Gas Co., resetting posts.....	337 60
Rochester Gas Co., re-arranging lamps.....	619 67
B. F. Thomas, lamp pots.....	24 00
And charge that fund.....	

CITY PROPERTY FUND.

F. X. Masseth, hack hire.....	\$ 2 00
W. Summers, labor in basement City Hall.....	61 05
Rochester Gas Co., gas City Hall and Front st. building for Sept.....	85 47
J. Talman, soap.....	4 00
And charge that fund.....	

HEALTH DEPARTMENT FUND.

Union and Advertiser, printing blanks.....	\$ 7 50
Charles Buckley, M. D., copy of statistics.....	18 00
And charge that Fund.....	

PARK FUND.

H. Brewster, grass seed.....	\$ 1 88
Jacob Suter, earth.....	13 70
And charge that fund.....	

POLICE DEPARTMENT FUND.

Alex. McLearn, expenses for Sept.....	\$ 88 71
Rochester Printing Co., printing blanks.....	26 00
And charge that fund.....	

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.
Nays—Ald. Chase, Mandeville—2.

**COMMUNICATIONS FROM THE MAYOR AND OTHER
EXECUTIVE OFFICERS AND THEIR
REFERENCE.**

**OFFICE OF WATER WORKS AND FIRE
BOARD OF THE CITY OF ROCHESTER,**
ROCHESTER, Oct. 21, 1879.

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

GENTLEMEN—The Water Works and Fire Board beg leave to report that they have made diligent inquiry into the circumstances under which the son of Joseph Meyer suffered the injury stated in a communication referred to this Board, and find the facts to be as follows:

The water pipe trench was protected as is usual in the construction of the works, with pieces of pipe twelve feet long, the ends of which were placed upon a barrel. These pieces of pipe formed an inclined plane, up and down which the children amused themselves by walking or running. While thus engaged at play the pipe fell on the son of Mr. Meyer and caused the injury for which he claims fifty dollars damages.

Upon this information and statement of the facts the undersigned are of the opinion that neither the city nor the contractor is at fault or blamable for negligence, and, therefore, not liable for damages for the injury suffered by Frank Meyer.

All of which is respectfully submitted.
C. C. WOODWORTH,
V. FLECKENSTEIN.

Water Works and Fire Board.

Ordered received, filed and published.
By the Clerk—

CITY CLERK'S OFFICE
ROCHESTER, N. Y., Oct. 21, 1879.

To the Honorable Common Council:

GENTLEMEN: In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office as Inspectors of Election:

Edward F. Stillwell, 1st Ward.
George Glover, 1st District, 7th Ward.
David Sturges, 2d District, 9th Ward.
James W. Kelly, 1st District, 11th Ward.
C. T. Cook, 14th Ward.
Thomas Gosnell, 14th Ward.
James Gosnell, 14th Ward.
Thomas Daly, 15th Ward.
J. Adam Affal, 2d District, 16th Ward.
Levi A. Dickinson, 3d District, 16th Ward.
Commissioners of Deeds—Charles F. Pond,
A. N. Fitch, D. S. Covill.

EDWARD ANGEVINE, City Clerk.

Ordered received. filed and published.

ACTION ON ORDINANCES.

LIME STREET PLANK WALK.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet wide on the north side of Lime street from Child street to Whitney st.

Adopted.
The Surveyor submitted as such estimate, \$128.
By Ald. Wickens—Resolved, That the following improvement is expedient, viz:

The construction of a plank walk four feet wide on the north side of Lime street from Child street to Whitney street.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$128, which estimate is hereby approved.

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

One tier of lots on the north side of Lime street from Child street to Whitney street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening Nov. the 4th, 1879, at 7½ o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,085.

OLD SCHOOL HOUSE NO. 5 FLAG WALK.

On motion of Ald. Wickens, 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. Wickens submitted the following:

An ordinance to construct a flag-stone walk on Jones street in front of old school house No. 5.

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

The construction of a flag-stone walk five feet wide in one course on Jones street, in front of old school house lot No. 5.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$165.00, which estimate is hereby approved.

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

Old school house lot No. 5.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:
Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,086.

UPTON PARK FLAG WALK.

On motion of Ald. Wickens 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. Wickens submitted the following:

An Ordinance to construct a flag walk four feet wide in one course on each side of Upton park, from East avenue to University avenue; also the necessary crosswalks.

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

The construction of a flag-stone walk four feet wide in one course on each side of Upton park, from East avenue to University avenue; also the necessary crosswalks.

And the whole expense shall be defrayed by the assessment upon all the lots and parcels of land to be benefited thereby; and the city surveyor, under the direction of this Council having made an estimate of such expense and reported the same at \$2000, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvements is described as follows:

One tier of lots on each side of Upton park from East avenue to University avenue, including the property owned by C. C. Merriman.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement may pay their assessments in three equal payments, as follows:

One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of such roll; and the remaining one-third within two years from the confirmation of such roll. On all sums paid prior to the maturity of the said last installment, a discount will be allowed of seven per cent per annum.

Ald. Hart presented a majority petition for the same.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chamber, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE No. 2,087.

PLANK WALK ON DRAYTON STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on the north side of Drayton street, from Hudson street to North street.

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

The construction of a plank walk 4 feet wide on the north side of Drayton street, from Hudson street to North street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$200, which estimate is hereby approved; 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 Drayton street, from Hudson street to North street.

On which above described portion of the city the expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

FINAL ORDINANCE No. 2,088.

OPENING AND EXTENDING ACKERMAN STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to open and extend Ackerman street from its present southern terminus to the street known as the Webster plank road.

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

The opening and extension of Ackerman street, from its present southerly terminus to the street known as the Webster plank road, and the territory deemed necessary to be taken therefor is described as follows, viz. A strip of land 18½ feet in width, extending from the present southerly terminus of Ackerman street to the street known as the Webster plank road, and at right angles to said road.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor under the direction of this Council, having made an estimate of such expense, and reported the same at \$50.00, which estimate is hereby approved; 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 the said Ackerman street as proposed to be opened and extended, from the present southerly terminus of Ackerman street, to the street known as the Webster plank road.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

EXECUTIVE BUSINESS.

Ald. Warren moved that the Board proceed to ballot for Commissioners of Deeds. Adopted.

Wm. E. Warner, Wm. E. Edmonds and Alonzo J. Hulett having received the requisite number of votes were declared duly elected.

Ald. Otis moved that the Clerk advertise for allegations for opening a street through the Hair property. Adopted.

ROCHESTER, N. Y., Oct. 21, 1879.

To the Honorable the Common Council of Rochester:

Commissioners were appointed to award damages for the opening of Goodman street to East Main street through the Hair property. They have made their report awarding \$4,000 to the owners and \$150 to the owners or the lessee,

putting the award of \$150 in the alternative without designating to whom it should go; also \$25 to a tenant subletting of the lessee.

The report, as the parties are advised, is defective and would be set aside on appeal, if not for other reasons, for the alternative award.

The owners feel aggrieved at the inadequate measure of their damages, especially in view of the fact that the four witnesses for the city testified to damages to the amount of \$6,200, averaging the amounts, and the claimant's witnesses averaged \$6,191.

The parties recognize that it is of great importance to the public that the street should be opened at once, as the building of the bridge over the railroad crossing is delayed thereby, and they are inclined to compromise the matter without appeal and immediately, upon the following terms: The owners and lessees will deed the land designated for the proposed street upon the payment of the award of \$4,000 to the owners, James Hair and Florence Hair, and the award of the \$150 to the lessee and the award of \$25 to the tenant subletting; and on condition that the city quit claims to the said James Hair and Florence Hair that part of the street adjoining their property east of the proposed street, described as follows: Commencing at the intersection of the east line of the proposed street with the south line of East Main street; thence along the easterly side of the sidewalk as laid out by the City Surveyor, as it turns to the wall of the abutment or embankment leading up to the proposed bridge; thence easterly along the said stone wall and the southerly fuse thereof and to the southeast corner thereof; thence northerly along the easterly face of said wall to the centre of East Main st.; thence easterly along the centre line of East Main st. to the west line of the lands of the New York Central and Hudson River Railroad Company; thence southerly along the said company's west line to the north line of the lands of said James and Florence Hair and the present south line of East Main st.; thence along the said line westerly to the place of beginning," with the covenant that no building shall be built upon any part of said lands so quit claimed.

In case this compromise is made the deeds can be made immediately and the money paid and the work proceed at once. If it cannot be there will of necessity be a delay, much to be deplored but for which the owners and occupants cannot be blamed.

MARTIN W. COOKE,

Attorney for Owners and Occupants.

Mr. Cook was heard.

Ald. Weaver moved that it lie on the table until the next regular meeting. Adopted.

The President in the chair.

By Ald. Edelman—Petition of sundry butchers to have license fee refunded.

By Ald. Edelman—Resolved, That the Clerk draw an order in favor of Erhardt & Co., Frederick Bach, and Catherine Stroh for twenty-four dollars each, being for refund on butcher's license and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—18.

Nays—Ald. Fitz Simons, Mandeville, Weaver—3.

Ald. Mandeville called from the table the resolution offered by him at the last meeting relative to telegraph poles in Monroe avenue, and offered the following as an amendment.

By Ald. Mandeville—Whereas, The American Union Telegraph Company have erected telegraph poles and wires on Monroe avenue without the written consent of property owners of said avenue and not in accordance with the terms and conditions of the resolution, in regard to that subject, adopted by this Board thereof; and,

Whereas, Property owners of said avenue have remonstrated against the erection of such poles and wires, and demand the removal of such thereof as have been erected. Now, therefore,

Resolved, That no more telegraph poles or wires shall be erected on said Monroe avenue, and that such poles and wires as have been erected on said avenue shall be immediately removed therefrom. And said company is hereby required to remove said poles and wires from said Monroe avenue immediately and without delay.

The resolution was lost by the following vote:

Ayes—Ald. Fitz Simons, Otis, Hebing, Mandeville, Wickens Weaver—6.

Nays—Ald. Tracy, Westbury, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

By Ald. Chambers—Resolved, That a market license be granted John Curran for the sale of fresh meats at No. 34 Troup street, on his paying into the treasury the sum of one dollar. Adopted.

By Ald. Chambers—Resolved, That the Clerk make an order on the City Treasurer in favor of the Executive Board for \$96.50, the amount paid by that Board for Commissioners' fees and expenses in the matter of the "opening and extending Tracy Park," under Ordinance No. 2,012, passed May 28, 1878, which ordinance was subsequently repealed, and charge the amount of the said order to the Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Hebing—Resolved, That the Lamp Committee be and they are hereby instructed to rearrange the lamps on Franklin street from North avenue to Clinton street, resetting the lamp on the corner of South Chatham and Franklin street in the same place where it stood before.

Ald. Fitz Simons moved its reference to the special committee on rearranging lamps.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. Hebing, Crouch, Chace.

By Ald. Tracy—Petition of property owners on Front street to have bed of river cleared of obstructions. Referred to Improvement Committee and Executive Board.

By Ald. Tracy—Petition of H. C. George for an exhibition license for European Hotel and Flour City Pavilion Garden.

Also a remonstrance from residents in the neighborhood against granting the same. Both tabled.

By Ald. Fitz Simons—Resolved, That the contract with Charles A. Jeffords, for the care and lighting of the public kerosene lamps, be cancelled, to take effect one week from this evening, and the Clerk is hereby directed to notify Mr. Jeffords of this action. Adopted.

Resolved, That the Lamp Committee are hereby directed to advertise for bids for the care and lighting of the public kerosene lamps for the balance of the year. Adopted.

By Ald. Tracy—Resolved, That the Clerk draw an order on the City Treasurer in favor of Leary & Co. for fifteen dollars, in full of their account, as per bills rendered, and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Knobles—11.

Nays—Ald. Fitz Simons, Hebing, Edelman, Weaver, Hart—5.

By Ald. Tracy—Resolved, That the Lamp Committee be and they are hereby authorized to have the boulevard lamps now in the city building on Front street, placed on the public lamp posts on East Main and Hudson streets in place of the old style of square lamps now on said posts. Referred to Special Committee on Rearrangement of Lamps.

By Ald. Tracy—Resolved, That the Clerk draw an order on the City Treasurer in favor of John Ralph for twenty-three dollars for labor performed on the public parks for the month of August and charge Park Fund. Referred to Finance Committee.

Ald. Hart moved that no more lunches be ordered or paid for during the time of the present Board.

Ald. Otis moved that the motion lie on the table.

Lost by the following vote:

Ayes—Ald. Westbury, Warren, Crouch—3.

Nays—Ald. Tracy, Fitz Simons, Otis, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Ald. Fitz Simons moved to reconsider the vote just taken.

Ald. Otis moved that the motion lie on the table. Adopted.

Ald. Hart moved that the Board adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Oct. 28th, 1879.

ADJOURNED REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Chace, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent—Ald. Warren.

Ald. Westbury moved that the report of the Citizens Committee on Elevated Tracks, presented at the last meeting of the Board, be adopted after its reading by the Clerk.

Ald. Hebing presented a largely signed remonstrance against the proposed elevation of tracks.

Ald. Tracy moved that the citizens present be invited to participate in the discussion of the subject. Adopted.

By Ald. FitzSimons—Whereas, The Chairman of the Citizens' Committee on Elevated Tracks has devoted an amount of time and attention and intelligent effort to the matter in his charge and has spared no pains to obtain and secure from the railroad corporations the most favorable propositions possible; therefore,

Resolved, That the thanks of this Common Council be tendered George C. Buell, Chairman of Citizens' Committee, for the very intelligent, earnest and able manner in which the negotiations were conducted on behalf of our citizens with the railroad company.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—13.

Nays—Ald. Hebing, Edelman—2.

Ald. FitzSimons presented the following and moved that it be read, filed and published. Adopted.

Gentlemen of the Common Council:

It is earnestly to be hoped that the question in relation to the change in the railroad tracks in our city will not be decided to-night. So far as I have been able to learn, a large majority of our citizens are not in favor of the plan submitted by Mr. Vanderbilt and recommended by the committee. This plan, if adopted, would ruin the value of a great deal of property and lead to endless litigation. We ought not to lose sight of the fact that whatever plan may finally be adopted will be permanent. If it is one which is open to such serious objections as the one this evening submitted to your honorable body, we may repent at leisure the haste with which we have acted, but we shall not be able to change the result.

The plan proposed in the Democrat and Chronicle of October 20th, signed "C. L.," strikes me as the most feasible of any yet discussed. Let us "make haste slowly," and not fasten upon our children and our children's children an "improvement" for which they will forever curse our memories.

A WOMAN AND A TAXPAYER.

After a lengthy discussion on the part of several persons, Ald. Tracy moved that the report be re-committed to the Citizen's Committee, to report further at a meeting to be held two weeks from this evening. Adopted.

Ald. Crouch moved that in the interval the Council in body, on a day to be designated by

the President, make a tour of the proposed elevated tracks. Adopted.

Ald. FitzSimons presented the following:

Ald. M. H. FitzSimons:

DEAR SIR.—I am unable, on account of illness, to be present at Council meeting to-night, so, desiring to put myself on record on this important matter of elevated tracks, I address you that you may intimate to our colleagues my position, as I am opposed to the present scheme and find a large majority of the residents in the Fifth Ward are against the measure. I presume the matter will not come to a vote this evening but that a further postponement will be made, and do not think the city will lose anything by judiciously deferring this matter until it is thoroughly sifted.

I am yours truly,

E. K. WARREN.

On motion of Ald. Mandeville the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Nov. 11th, 1879.

ADJOURNED MEETING.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. E. B. Chace, President of the Board, presiding.

Ald. Westbury was called to the chair.

Ald. Chace, from the Special Committee on Elevated Tracks, stated that the Committee to whom was referred the report of the Citizens' Committee on Elevated Tracks, made at the last meeting of the Council, reported that the committee had diligently prosecuted its duties. Questions had come up which necessitated legal opinion and such an opinion had been obtained from the Hon. James L. Angle, which he submitted, and moved that it be received, filed and published. The committee, for the present, had resolved to adopt the views of Judge Angle as their guide, and would report progress and ask for further time.

There being no objection the motion to receive, file and publish the opinion of Judge Angle and to grant the committee further time was adopted.

The following is the opinion of Judge Angle:

JUDGE ANGLE'S OPINION.

By the charter of the Tonawanda Railroad Company (laws of 1852, page 427) it had the right to construct and maintain a railroad from a point in the village of Rochester to Attica, Genesee county, and by section 35 it was "bound to repair all public highways which might be injured in constructing said railroad and its appendages, and it was required to restore them, as far as practicable to as good condition as they were in before they became injured." The corporation was made subject to such parts of chapter 18, part I, of Revised Statutes, as were not repealed, and the Legislature reserved the right at any time to alter, modify or repeal the charter.

By the original charter of the city of Rochester, (laws 1831, page 297), the Common Council were authorized to prevent the encumbering of streets, etc., in any manner whatever (page 298), and to ascertain, establish and settle the boundaries of streets, etc., and to prevent and remove encroachments thereon, and to exercise all the powers conferred on them in reference to highways; by this charter (page 313) the Common Council were made

Commissioners of Highways for the city, and declared to have the care and superintendence of the highways, streets, bridges, lanes, alleys, parks and public squares therein; and it is made their duty, among other things, to give directions for their repair and preservation, and to cause them to be repaired, improved and secured from time to time; to regulate them and to alter such of them as they shall deem inconvenient, subject to certain restrictions, and also (page 316) subject to certain restriction to cause the pitching, raising, levelling, amending, etc., any of the streets, alleys, roads, squares, highways, etc., in said city, and to cause any streets, etc., to be opened or altered by widening or altering the course thereof whenever they should judge the public good required.

In 1836 (laws of 1836, p. 340) provision is made that when a railroad shall be constructed on land purchased for that purpose, or a route shall cross any road or public highway, it shall be lawful for the Commissioners of highways, having the supervision thereof, to give a written consent that such railroad may be constructed across or upon such road or other public highway, and thereafter such railroad may be constructed across or on such roads or other highways as the Commissioner have permitted, but every public highway thus intersected or crossed by railroad shall be restored to its former state so as not to impair its usefulness.

By the act of April 13, 1836 (laws of 1836, p. 492) the Auburn and Rochester railroad was chartered to construct a Railroad from Auburn to Rochester where it may terminate at or connect with the Tonawanda railroad, and by section 11 (p. 499) it is provided that whenever it shall be necessary for the construction of their road to intersect or cross any road or highway, it shall be lawful for said corporation to construct their road upon or across the same, but the corporation shall restore such road or highway to its former state, or in a sufficient manner not unnecessarily to have impaired its usefulness. The corporation is made subject to such parts of chap. 13, pt. 1 of the R. S. as have not been repealed (§15) and the legislature may, from time to time, alter, modify or repeal the charter.

The city charter was amended April 19th, 1836, (Laws 1836, p. 211) and the Common Council were given power that whenever, in their opinion, public convenience required it, to determine and designate the route and grade of any railroad within the limits of the city, and that for that purpose they might, by ordinance, require the proprietors of such railroad to change or the grade thereof, and might prohibit the using of such railroads on any other route or grade than the one so designated.

By an amendment to the city charter May 9th, 1837, (Laws 1837, p. 401, §8) the Common Council were given power to restrain and regulate the use of engines and cars in the city.

On the 15th of May, 1838, (Laws of 1837, p. 475,) an act was passed for the construction of a railroad from Rochester to Lockport, creating for that purpose the Rochester and Lockport Railroad Company, subjecting it to certain provisions in the charter of the Attica and Buffalo Railroad, passed May 6th, 1836, (Laws of 1836, p. 324, §11,) to the effect that when it should be necessary for the construction of the road to cross any road or highway, it should be lawful for the corporation to construct their road upon or across the same, but the corporation should restore the road or highway to its former state, or in a sufficient manner not unnecessarily to impair its usefulness.

Under an act passed March 19, 1844, (Laws, 1844, p. 42) the Tonawanda Railroad Company are given power to connect with the Auburn and Rochester railroad by constructing and maintaining a single track from some convenient point on the Tonawanda road in Rochester, to the western terminus, or depot, of the Auburn road in said city, as certain commissioners named, should determine and direct, and the time for the completion is limited to Sept. 1, 1846. By section one, it is provided that if the said track shall be constructed through or upon any of the public streets of said city, they shall construct it in such a manner that the rails shall,

as nearly as possible, be even with the surface of said street, and they shall place and keep the parts of any such streets occupied by said track in good repair and condition, and shall not use said track with steam locomotive power without the consent of the Common Council. Section 4 provides that if in constructing such track over or across any street, lane, or alley, it should be necessary to alter the grade thereof so as to impair the value of any lot or lots lying upon, or adjacent to, the part or parts of such streets, lane or alley, the grade whereof shall be altered, the company shall pay the owner or owners of such lot or lots for the damages so done. By section 5 the Common Council are declared to have no power to change or alter the route or grade of any railroad track that might be constructed under this act, or to prohibit using the same when made, or prohibit the reasonable and proper use of said railroad cars on the same. Section 6 appoints Jared Wilson, Jos. Garlinghouse and William H. Smith, commissioners to designate the route and grade of such connection, and requires them to file their determination of the route and grade with the Clerk of the city of Rochester. At the same session of the Legislature, and on the 11th of April (Laws 1844, p. 138) the charter of the city of Rochester was revised and amended, and the powers of the Common Council in regard to said roads enacted to be that they should, whenever in their opinion the public convenience required it, determine and designate the route and grade of any railroad within the city, and for that purpose might require the proprietors of such railroads to change or alter the route or grade thereof, and might prohibit the using of such railroad on any other route or grade than the one so designated; but it was provided that this section should not be subject to the provisions of the act authorizing the Tonawanda Railroad Company to connect their railroad with the Auburn road, passed March 19th, 1844. By this revision of the charter in 1844, the Common Council also had power to restrain and regulate the use of locomotives and cars on railroads in the city, and it contained the same provisions as to the Common Council being commissioners of highways, and their powers as such, as were contained in the charter of 1834.

By an act passed May 12, 1847, (Laws 1847, p. 303, § 4,) any railroad company was authorized to change portions of the line of its track for the purpose of improving the grade or curves, provided such alteration shall not vary the track to exceed one mile laterally from its present location at any point, but this shall not authorize any company to obtain the lands or right of way in any other manner than by purchase or voluntary consent of parties.

The next legislation necessary to notice is the act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850 (laws of 1850, p. 211), some sections of which are made applicable to existing railroad corporations, and among them the following which deserve notice:

By section 23 (amended ch. 77, 1876), railroad companies may alter or change the route of their roads, or of any part of such route, if it shall appear to them that the line can be improved thereby, but no such alteration or change shall be made in any city or village after the road shall have been constructed, unless the same is sanctioned by a vote of two-thirds of the Common Council of said city or Trustees of said village.

Under section 24, whenever a railroad track shall cross a highway, such highway may be carried over or under the track, as may be found most expedient, and in cases where an embankment or cutting place shall make a change in the line of such highway desirable, with a view to more easy ascent or descent, the company may take additional lands for the construction of such highway on such new road, and the lands so taken shall become a part of such highway and may be held for highway purposes.

Under section 28, sub. 4, to lay out its road not exceeding six rods width and to construct the same; sub. 5, to construct their road across, along or upon any street or highway which the route of its road shall intersect or touch, but the company

shall restore the street or highway to its former state, or to such state as not unnecessarily to have impaired its usefulness.

On the 9th of April, 1850, (laws of 1850, p. 469) the Tonawanda Railroad Company and the Attica and Buffalo Railroad Company were permitted to consolidate, and it was provided that the new corporation should have the general powers and privileges, and be subject to the general liabilities, restrictions, duties and provisions contained in the general railroad act of April 2, 1850, so far as the same are applicable to a railroad corporation whose road is constructed and in operation, and that it should also have certain special powers, among which is the power to render the line of the railroad between Rochester and Buffalo shorter and more feasible and easier grades by the construction of branches or a new track.

In the same year (laws of 1850, p. 470) the Auburn and Rochester Railroad Company and the Auburn and Syracuse Railroad Company were permitted to consolidate and the new company were to construct a new road by the most direct and eligible line between Syracuse and Rochester, acquiring the title therefore under the general act of April 2, 1850, and providing that the new company should have and possess all the powers and privileges contained in that act and to the same extent that existing corporations are made subject to that act.

On April 10, 1850 (laws 1850, p. 501), the charter of the city was amended and consolidated, and thereby the power of the Common Council is to make, continue, establish, modify, amend and repeal such ordinances, by-laws and regulations as they deem advisable (among other things), to prevent the cumbering of streets, etc., in any manner whatever (see section 48, sub. 8) and to determine and designate the route and grades of any railroad to be laid in said city, and to restrain and regulate the use of locomotives, engines and cars upon said roads within the city. In this revision of the charter (laws 1850, p. 549-50) the provisions making the Common Council Commissioners of Highways, and declaring their powers as such, are continued as in the charter of 1854.

By the act of April 2, 1858, the Rochester and Syracuse Railroad Company, the Buffalo and Rochester Railroad Company, and the Rochester, Lockport and Niagara Falls Railroad Company were, with others, authorized to be consolidated, and it was provided that the new corporation should be subject to the general railroad act of April 2, 1850.

The new corporation formed under this consolidation is the New York Central Railroad Company, and subsequently another consolidation was made, creating the New York Central and Hudson River Railroad Company.

The charter of the city of Rochester was again amended and consolidated April 8, 1861 (laws 1861, ch. 143), and the powers of the Common Council as to the matters under consideration are substantially (section 41) that it shall have the power to make, continue, modify and repeal such ordinances by laws and regulations as it may deem desirable, within said city, for the following (among others) purposes: (Sub. 7). To prevent cumbering the streets in any manner whatever. (Sub. 9). To determine and designate the route and grades of any railroad to be laid in said city, and to restrain the rate of speed of locomotives, engines and cars upon railroads within said city. The Common Council are also (section 151) declared to be commissioners of highways of the city, and to have the care and supervision of the streets; and the Common Council also has power (section 160) to cause the grading and repairing, etc., of the streets, etc., of the city, and restrictions and limitations are provided, subject to which this power is to be exercised, and they also have the same power, on application, to discontinue streets as possessed by commissioners of towns.

The charter of 1861 is the law now in force as to the powers of the Common Council.

I shall assume that the present route and grade of the N. Y. C. and H. R. Railroad tracks have been legally established.

The foregoing review of the acts of the Legislature shows that the statutory provisions now in force in

the city touching the questions to be examined are as follows:

1. The Act of May 12, 1847, authorizing any railroad company to change portions of the line of its track for the purpose of improving the grade or curves, provided that such alteration shall not vary the track more than one mile laterally from its present location.

2. The general railroad Act of 1860, under which (section 23) railroad companies may alter or change any part of the line of the route of their roads if it shall appear to them that their line can be improved thereby; but no such alteration or change shall be made in any city after the road has been constructed, unless the same shall be sanctioned by a vote of two-thirds of the Common Council of the city. Also, (section 23, whenever a railroad track shall cross a highway, such highway may be carried over or under the track, as most expedient, and where an embankment or cutting shall make a change in the line of highway desirable with a view to the more easy ascent or descent, the company may take additional lands for the construction of such highway on such new lands, and which may be held for highway purposes. Also, (section 23, sub. 4) to lay out its road not exceeding six rods in width and to construct the same, and (sub. 5) to construct their road across, along or upon any street or highway which the route of its road shall intersect or touch, but to restore such street or highway to its former state, or to such a state as not to unnecessarily impair its usefulness.

3. The provisions of the city charter of 1861 (§41) giving the Common Council power to make, continue, modify and repeal such ordinances, by-laws and regulations as it may deem desirable to (sub. 7) prevent cumbering the streets, etc., and (sub. 9) to determine and designate the route and grade of any railroad to be laid in said city, and to restrain the rate of speed of locomotives within the city. Also the power of the Common Council (§55) as commissioners of highways in the care and superintendence of the streets, and the further power (§160) to cause the grading, repairing, etc., of streets under the restrictions and limitations provided, and the same power on application to discontinue streets which are proposed by commissioners of highways of towns.

My opinion is not asked as to the powers of the Railroad Company independent of the Common Council, and I shall therefore not consider them, although an abstract of the laws in that regard has to some extent been necessary in my investigation. The question as to which my opinion is desired are to the powers of the Common Council, and my conclusions are:

First—The Common Council have power to sanction, by a two-thirds vote, any change which a railroad company may make in the line of the route of their road for the improvement thereof, under section 23 of the general railroad act; and their power is to be exercised by a two-thirds vote of the Common Council; but such an action will not relieve the company from their statutory liability to restore the streets intersected or touched by their road, to their former state, or to such state as not unnecessarily to impair their usefulness.

Second—The Common Council may under sec. 41 of its charter, make, continue, modify and repeal ordinances, by-laws and regulations as they may deem desirable, to determine and designate the route and grade of any railroad to be laid in the city and to restrain the rate of speed of locomotives, etc. This power is to be exercised in a legislative manner, for its execution is a legislative act. It must be executed by ordinance, by-law or regulation and not by contract, except as an ordinance, etc., may create a contract. I think no one would claim that the rate of speed of locomotives, would under the charter be the matter of an express contract between the Common Council and a railroad company, binding upon future Common Councils and destroying their power under the charter to modify and repeal. Under this power the Common Council may by ordinance, by law or regulation, depress or elevate the grade of any railroad to be laid in this city, but they have not the power to relieve the railroad

company any more than in the former case from the statute liability to restore the streets to their former state or to such a state as not unnecessarily to impair their usefulness.

Third—The Common Council can not, by consenting that a street may be obstructed, or in any other way, discontinue a street, except in the manner provided in section 161, sub. 4, of the city charter.

Fourth—I am not able to find that, as Commissioner of Highways, the Common Council have any powers affecting the above conclusions.

Dated November 10, 1879. JAMES L. ANGLE.

Ald Hebing moved to adjourn. Adopted.
EDWARD ANGEVINE, City Clerk.

In Common Council.

REGULAR MEETING.

ROCHESTER, Nov. 18, 1879.

Ald. E. B. Chace, President of the Board, presiding. Present Alds. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Nay, Wickens, Edelman, Weaver, Cnobles, Hart—16.

Ald. FitzSimons moved that the minutes of the last regular meeting be corrected by inserting after the defeat of the motion of Ald. Otis to lay upon the table the resolution of Ald. Hart, discontinuing the lunches, the words "The motion of Ald. Hart was adopted." Adopted.

The minutes were then approved as corrected.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald Tracy—Bills of

Chas. A. Jeffords, cartage and setting lamp posts.....	\$ 13 00
Goodale & Pells, lamp tips.....	21 00
Roch. Gas Co., gas and care of lamps mo., Nov.....	1,686 67
Citizens' Gas Co.....	3 24 25
National Gas Co.....	361 00

Referred to the Lamp Committee.

By Ald Westbury—Communication from H. F. Huntington regard to the Exchange street outlet sewer. Referred to the Sewer Committee.

By Ald. Otis—bill of

John O'Rourke, board of Horse, months of Sept. and Oct.....	\$ 36 00
-------------------------------------------------------------	----------

Referred to Health Committee.

By Ald. Otis—bill of

J. L. Angle, opinion on elevated tracks.....	\$ 150 00
----------------------------------------------	-----------

Referred to Contingent Expense Committee.

By Ald. Warren—Petition of Daniel Haley to remove a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Hebing—Petition of Lois E. Hawley for remission of taxes. Referred to the Law Committee.

By Ald. Crouch—bills of

Davies & Parmelee, copying list of liquor dealers.....	\$ 10 85
A. Bauer Schmidt, meat.....	75 00
S. Wheeler, rent.....	10 00
J. Griffin, shoes.....	4 50
John Hart, shoes.....	109 80
Express Printing Co., printing notices.....	6 60
C. E. Woodward, agent, groceries.....	8 00
Adam Zimmer, meat.....	200 00
Louis Boss, bread and crackers.....	\$ 216 06
Geo. Schoefield, transportation.....	32 99
Adam Vogel, meat.....	50 00
Bulky & Co., groceries.....	15 00
Ehrlart & Co., meat.....	100 00
Bostwick & Heindl, order bookers.....	16 00
J. E. Butterfield, transportation.....	14 90
A. H. Cork, groceries.....	15 00
Zegewitz & Fisher, meat.....	100 00
John Rahn, meat.....	125 00

Jaspar Fromm, meat.....	25 00
Joseph Schutte, disbursements.....	76 52
A. W. Mudge & Co., burials.....	121 00
John E. Watters, rent.....	11 25
John P. Smith, printing.....	5 00
Reinhardt & Kohler, meat.....	50 00
L. A. Wheeler, meat.....	100 00
Williamson & Highie, stationery.....	2 50
Brewster, Good & Co., groceries.....	80 69
M. Heavey, transportation.....	20 00

Referred to the Poor Committee.

By Ald. Crouch—

REPORT OF THE OVERSEER OF THE POOR FOR THE MONTH OF OCTOBER, 1879.

OVERSEER OF THE POOR OFFICE,
ROCHESTER, Nov. 11, 1879.

To the Honorable the Common Council of the City of Rochester.

The undersigned, Overseer of the Poor of the city of Rochester would respectfully report that during the month of October he has relieved 420 families in the following manner:

Orders on Poor Store.....	\$1,573 37
Coal Yard.....	251 00
Wood Yard.....	9 00
C. H. Babcock, coal.....	28 74
Quinn & Goler, medicine.....	2 50
J. O. Howard.....	1 00
G. Mannel, medicine.....	1 55
Burke, FitzSimons Hone & Co., dry goods.....	5 50
M. Heavey, transportation.....	4 00
G. Schofield.....	15 20
J. E. Butterfield.....	15 40
B. O'Reilly, burials.....	30 50
P. Joyce, burials.....	25 00
H. & P. Bender, burials.....	12 00
Poor store, shoes.....	129 21

Total.....	\$2,208 97
Less Towns.....	73 75

Total to city.....\$2,135 22

All of which is respectfully submitted.

J. SCHUTTE, Overseer of the Poor.

Ordered received, filed and published.

By Ald. Chambers—Petition for a plank walk on the west side of Park Place. Referred to the Improvement Committee.

By Ald. Chambers—Petition of S. G. Hollister to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act.

By Ald. Chambers—Petition of Patrick Eagan to erect two wood buildings, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Chambers—Bills of

Joseph E. Ludlam, stenography testimony in Water Works suits.....	\$10 00
E. Angevine, postage, telegrams, &c.....	30 00
A. Waldert, tape measures.....	31 00
A. K. Tower, stationery.....	55 98
E. R. Andrews, stationery.....	6 25
S. H. Oviatt, expenses in law case.....	5 25
W. I. Hanford, serving notices.....	3 00
James Kavanagh, hire.....	3 00
M. Heavey, hack hire.....	3 00

Referred to Contingent Expense Committee.

By Ald. Chace—Petition of Murray & Fulton for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal; also remonstrance same reference.

By Ald. Chace—Petition for plank walk on Thompson street. Referred to the Improvement Committee.

By Ald. Mandeville—Bills of

Rochester Gas Co., gas for City Hall and Front street building.....	\$105 60
Rochester Gas Co., gas for City Hall and Front street building for July.....	69 80
Henry Goetzman, ice for City Hall.....	22 50
A. Schiffrin, book case.....	40 00
Cutting & Cooney, making wrench.....	2 00
R. H. Quinn, carpenter work on City Building.....	4 75
D. Earl, labor.....	45 50

Referred to City Property Committee.

By Ald. Vay—Petition of Anton Zauner for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

Also, petition for water mains in Smith st. Referred to Committee on Water Works.

By Ald. Weaver—Bills of

Citizens' Gas Co., re-arranging lamps.....	\$194 77
Rochester Gas Co.,	207 40
Citizens' Gas Co, removing lamp posts.....	384 47

Referred to the Special Committee on Re-arranging Lamps:
By Ald. Weaver—Petition of Luman Smith for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Edelman—Bills of

H. Brewster & Co., grass seed.....	\$1 88
Whitmore, Rauber & Co., material and labor.	54 19

Referred to the Park Committee.

Also, petition of Aaron Nausbaum for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Hart—Bills of

S. A. Pierce, medical services.....	\$67 00
C. E. Morris, stationery.....	33 80
Mensing & Strecher, letter heads.....	6 00
M. Briggs & Son, repairs.....	7 00
Artillery Band, music at inspection.....	50 00

Referred to the Police Committee.

REPORT OF THE POLICE CLERK FOR THE MONTH OF OCTOBER, 1879.

POLICE COMMISSIONERS' OFFICE, }
Nov. 17th, 1879. }

To the Honorable the Common Council:

GENTLEMEN:—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of November, 1879, together with the amount collected:

Oct.	Crime.	Penalty.	Paid.
1—Jane Smith	drunk	5	
James Wilson	drunk	5	
Alex. Hill	vio. ord.	10	
Dani. Hogan	drunk	10	
Maurice Katon	vio. ord.	10	
Geo. De Frees	..	10	
Maria Adams	..	10	
Sylvester Wheelock, cru'ty to animals	10		
2—Wm. Honine	drunk	5	\$ 5
Frank Button	..	5	
3—Arch. Sherwood,	cru'ty to animals	10	10
Jacob Huber	assault	10	10
Herman Sallback	drunk	10	
Thomas Fitzgerald	..	5	5
Annie Ryan	..	5	
Lizzie White	..	10	
Thos. Hughes	..	10	10
Mary Williams	..	10	
4—Joseph Rouche	assault	15	
Jacob McKinney	..	25	
Mary Scott	..	5	
Josie Small	..	25	10
John Bowman	vio. ord.	25	
6—Joseph Davis	drunk	5	4
Ed. Downing	..	5	5
James Joyce	petit larceny	10	
Wm. Hogan	drunk	5	5
John Dolan	assault	25	
Arndt Rosenthal	..	5	
James Brennan	..	5	5
Joseph Law	..	5	3
Timothy Collins	..	5	5
Louis Hoff	assault	25	25
Felix Goerger	drunk	5	5
Nettie Smart	..	5	5
Charles Dickmers	cruelty to animals	10	10
7—Maggie Reardon	drunk	10	
Wm. Barns	vio ord	10	
Geo Coxan	assault	10	
Jeremiah Gardner	..	5	5
Joseph Talman	drunk	5	5
Chas Johnson	..	5	5
8—John Moore	..	10	5
John Barry	..	10	5
Chas McNamara	..	10	
Dennis Callaghan	..	5	2
Geo King	..	5	5
Thos Ragan	vio ord	10	
Ed Statterly	..	10	

9—Geo F Weber	drunk	5	5
Mich. Muiryan	exposing person	15	
10—James Kelvay	drunk	10	
John Due	..	5	5
Geo Downing	cruelty to animals	10	10
11—Eliza Pettit	petit larceny	25	
13—Chas Worster	drunk	10	
Barbara Musson	..	10	
James H Cooper	..	5	
Wm Langdon	..	5	
Mary Noedecker	..	10	
Geo Noedecker	..	10	
Anthony Carter	..	5	
Thos Collins	..	10	40
Patk Oliver	..	10	10
Geo Sperry	..	5	2 60
14—John Shannon	..	10	
Geo Curren	..	5	
Archibald Bohon	..	10	5
James O Gaffney	false pretences	cost	3
15—Annie Glass	drunk	5	5
John Bingham	..	10	
Patk McMahon	..	5	
16—Mich McFarlin	..	10	
Frank Cook	violation ordinance	10	5
17—Frank Burke	..	5	5
Wm Wall	..	5	
Kitty Brown	old fine	5	26
18—Horace C George	violation ordinance	50	
Walter E Curtice	embezzlement	cost	5
20—Thos Tierney	violation ordinance	10	10
Mary Lawless	drunk	5	
John L Carpenter	..	5	5
Thos Copperthorn	violation ordinance	10	5
Mich Huges	..	5	5
Hannah Schwartz	old fine	5	
21—Morris Lonan	drunk	5	5
Cath O'Connors	..	5	3
James McClinan	..	5	
Wm Fogarty	..	10	
Julius Havers	assault	25	10
22—Margaret Lyon	drunk	10	5
Mary Wick	..	10	
Amanda Hamilton	violation ordinance	100	25
Anthony Youngman	..	25	5
Matilda McCabe	..	25	25
Amanda Hamilton	sel liq without lic	50	50
Don S Brockway	cruelty to animals	10	10
23—John Leslie	drunk	5	5
Hattie Robinson	..	5	5
Mary Briggs	..	10	
Jacob C Lawson	..	5	
Mary Wemple	vio ord	cost	1
24—Thos Spillane	drunk	10	5
Wm Whalin	assault	cost	1
25—Lucian Judd	drunk	10	
Stephen Murphy	..	10	
Wm Connor	..	10	10
27—Thomas Mack	..	5	
John Sullivan	..	5	
Moses D Lowell	cruelty to animals	10	10
Catherine Larkin	drunk	10	5
John Butler	..	5	5
28—James O'Connell	..	5	5
John Fisher	..	5	5
Geo Mender	..	10	10
John Stepbany	assault	5	5
29—Arthur W Bean	..	15	15
Rich Lawton	..	15	10
30—Patrick Boylen	drunk	5	
Anson E Smith	assault	25	25
Anson E Smith	cruelty to animals	10	10
Thos Kelly	assault	10	5
31—Anthony Youngman	drunk	10	
Onas Grafton	..	5	
Wm Taylor	..	5	5

Fines by Commissioners

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of October, 1879, is true.

B. FRANK ENOS, Clerk.

Sworn to before me this 17th day of Nov., 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.

REPORTS OF STANDING COMMITTEES.
Ald. Tracy, from the Lamp Committee; Ald. Otis, from the Health Committee. Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Edleman, from the Park Committee; Ald. Weaver, from the Special Committee on Re-arranging Lamps; Ald. Hart, from the Police Committee, reported in favor of the various bills referred to their respective committees,

and referred them to the Finance Committee for payment.

By Ald. Warren—

To the Common Council:

GENTLEMEN.—Your Assessment Committee, to whom was referred sundry matters, after an investigation thereof, offer the following:

Resolved, That the Treasurer cancel the assessment on the land of H. R. Seldon and Levi A. Ward, located north of and not included in the territory assessed in the ordinance passed May 29th, 1877, to extend and repair Court and William street sewer.

Resolved, That the Treasurer received from the Vacuum Oil Co., one half of the tax assessed upon their land described in their petition for the General City Taxes of 1864 and 1867, and charge the balance to erroneous assessments.

Resolved, That the Treasurer receive from Owen McCabe, the amount of the original tax on his property, lot No. 1, west part, Park Place on West avenue, 8th ward, with interest at 7 per cent. from the year 1875.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted.

By Ald Warren—

Resolved, That the City Treasurer be and he is hereby directed to refund to Mary Buckley ten dollars for an erroneous assessment on her house and lot No. 8, on the west side of Campbell street in the 15th ward, for the years 1875, 1876, 1877, and 1878, she being assessed for 95 feet front on said lot instead of 50 feet which she owns, and charge the same to erroneous assessments.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Heing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—15.

FINANCE BUDGET.

ROCHESTER, N. Y., Nov. 13, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

MONTHLY PAY ROLL FOR OCTOBER, 1879.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angvine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth,	150 00
Wm. Mahar,	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Duell,	150 00
E. H. McMath, Clerk	50 00
Francis J. Irvine, City Messenger	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building.....	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. E. Parsons, Draughtsman	60 00
W. J. Stewart, Chairman	40 00
A. Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office.....	58 34
E. W. Williams,	116 66
James H. Wilson, services in	62 56
Warham Whitney	54 17
Bonford & Stewart, maps.....	3 50
James Day, hackhire.....	3 00
Mensing & Stecker, printing.....	6 00
C. S. Kenyon, sibbon for stamp.....	15 00
S. H. Oviatt, expenses in suit Raines vs. City.....	15 60
Williamson & Higbie, stationery.....	25 47

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO OCT. 1ST, 1879.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00

John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Rockwell.....	41 67
Dr. J. J. A. Burt.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. Oct.....	41 67
Porter W. Taylor,	41 67
Edward E. Bausch,	41 67
Faris G. Clark,	41 67
Fred. Guac, cle. k poor store,	20 00
Adolph Noite, printing.....	40 00
Fred Wurtz, meat.....	50 00
W. & J. M. Aikeland, soap and candles.....	120 63
E. E. Andrews, printing for Excise Commis- sioners.....	10 00
H. Langnecht, meat.....	100 00
Daniel Loebs, flour.....	292 50
A. Boss, shoes.....	11 50
N. L. Brayer, meat.....	50 00
Patrick Joyce, burials.....	25 00
P. Eagan, groceries.....	13 00
James Laney & Co., wrapping paper.....	39 66
Smith, Perkins & Co., groceries.....	217 54
Joseph Schutte, Overseer's disbursements.....	91 81
C. H. Finch, ice.....	10 00
John B. Hahn, meat.....	12 30

And charge that fund.

CITY PROPERTY FUND.

Wray & Elwood, keys.....	\$1 70
R. H. Quinn, work on Front street building...	2 00
A. H. Cork, brooms.....	2 50
E. Emrich, qr. salary, care of clocks, to No- vember 1.....	62 50
F. J. Irwin, monthly cleaning.....	82 60

And charge that Fund

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO NOV. 1, 1879.

Sam'l Donnelly, Supt. Board Health, salary..	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angvine, Clerk.....	25 00
Henry M. Heindol, Keeper of Hope Hospital.....	50 00
John H. Mason, Inspsr.....	50 00
Joseph Thompson, Inspsr.....	50 00
John Christie, Inspsr.....	50 00
Orrin Harris, Inspsr.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Nov. 1, 1879, E. S.....	125 00
Bradley & Co., garbage contractor to Nov. 1, 1879, W. S.....	150 00
Heman, Miller, due on salary.....	8 34

And charge that fund.

LAMP DEPARTMENT FUND.

Gilbert Brady, paving streets.....	\$ 78 00
Citizens' Gas Co., rearranging lamp posts.....	143 16
Roch.....	134 68
National	561 00
Citizens' Gas Company, resetting posts.....	38 03
Rochester Gas Co., gas and care of lamps for October.....	1727 00
Citizens' Gas Co., gas and care of lamps for Oc- tober.....	2234 59
Charles A. Jeffords, lighting and care of lamps for October.....	710 79

And charge that fund.

PARK FUND.

F. Knapp, labor on parks to Nov. 1,.....	\$ 30 00
Jas. Franman	30 00
Pat. Newcombe	30 00
Jos. Horton,	30 00
Dan. Goulding,	30 00
Otis & Gorsline, material	16 96

And charge that fund.

POLICE PAY ROLL FOR OCTOBER, 1879.

Alex. M'Lean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00
W. J. Rogers.....	75 00
Thos. Lynch.....	75 00
Peter Lauer, Jr.....	75 00
P. C. Kavanagh.....	75 00
Ferry Marzuff.....	75 00
George Surchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker.....	75 00
Jos. P. Cleary.....	75 00
Frank B. Allen.....	65 00
W. R. M'Arthur.....	65 00
John J. Garrett.....	65 00
Jacob Frank.....	65 00
John C. Haydon.....	65 00
John Wangman.....	65 00
Hugh Johnston.....	65 00

John H. Dana.....	65 00
Ed. Van Vorst.....	65 00
Hugh Clark, 29 days.....	62 93
John C. M'Quatters.....	65 00
Wm. H. White.....	65 00
Thos. F. Hurley, 28 days.....	60 76
Patrick H. Sullivan.....	102 00
Chas. M'Connick.....	75 00
Jos. S. Roworth.....	75 00
Wm. F. Lush.....	65 00
Barth. Crowley.....	65 00
Robt. Burns.....	65 00
Ralph Bendon.....	65 00
Jacob Harter.....	65 00
Thos. Crouch, 26 days.....	56 42
Andrew Connolly.....	65 00
Wm. P. O'Neil.....	65 00
Benj. C. Further.....	65 00
Wm. H. Keith.....	65 00
John H. Wordell, 29 days.....	62 93
B. Horcheler.....	65 00
John Mitchell.....	65 00
Robt. M'Kee, 28 days.....	60 76
Chas. E. Fowler.....	65 00
Michael Brady.....	65 00
Wm. M'Kelvv.....	65 00
Joseph Legler, 25 days.....	54 25
Wm. H. DeWitt, 29 days.....	62 93
Nicholas J. Loos.....	65 00
Fred. Griebel.....	65 00
Robert Sloan, 29 days.....	62 93
Peter Bohrer, 29 days.....	62 93
Samuel Schwartz.....	65 00
Jas. A. Johnson.....	65 00
Thos. Dukelow, 29 days.....	62 93
Patk. Hoctor.....	65 00
George Smita.....	65 00
Lewis Jesserer.....	65 00
Frank Value.....	65 00
Michael Cain.....	65 00
Wm. H. Burgess.....	65 00
Michael Hynes.....	65 00
Chas. Hart.....	65 00
Frank D. Fay.....	65 00
Geo. Hoffner.....	65 00
James P. Flynn.....	65 00
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove, 29 days.....	62 93
Michael Wolf, Jr.....	66 00
John M. Reis.....	65 00
Charles W. Peart.....	65 00
Wm. Laragy.....	65 00
Louis Noldt.....	65 00
Jerry Twaig.....	65 00
Ed. McDonough.....	65 00
Older Oliver, 28 days.....	49 91
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hesse.....	55 60
Daniel Goulding, Jr.....	65 00
Patrick Holloran, 18 days.....	39 06
Henry Graven, 27 days.....	58 59
Chas. Siefferd.....	65 00
Micl. Hyland.....	65 00
Jacob Markey.....	60 00
B. Frank Enos, Clerk of Commissioners.....	116 67

C. R. PARSONS,
FRED'K ZIMMER,
JACOB HOWE, JR.,
Commissioner.

Adopted by the following vote:
Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—15.

By Ald. Hart—

To the Honorable Common Council of the City of Rochester :

Your committee, to whom was referred the resolution of Ald. Otis asking for an increase of the salary of the Commissioners of Excise, respectfully report against the increase asked for by said Commissioners.

J. J. HART,
P. WICKENS,
W. MANDEVILLE,
Committee.

Adopted.

By Ald. Vay—Resolved, That C. Duerr and Salmon Tichner have permission to erect wood buildings in accordance with their several petitions under the direction of the Wood Building Committee and Fire Marshal. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS AND THEIR REFERENCE.

By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, Nov. 18th, 1879.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 18th day of November, 1879, as required by section 59 of the City Charter:

	Credit Balances.
Contingent Fund.....	\$36,668 12
Police Fund.....	20,571 57
Lamp Fund.....	25,381 49
Poor Fund.....	15,932 09
Park Fund.....	229 07
Board of Health Fund.....	3,398 56
Home for Truants Fund.....	9 19
City Property Fund.....	3,193 50
Search Department Fund.....	687 15

GEO. D. WILLIAMS, Treasurer.
Subscribed and sworn to before me this 18th day of November, 1879. F. J. IRWIN,
Commissioner of Deeds.

Ordered received, filed and published

By Ald FitzSimons—

CITY TREASURER'S OFFICE, }
ROCHESTER, Nov. 8, 1879. }

M. H. FitzSimons, Chairman Finance Committee:

DEAR SIR :—Having called your attention to the exceedingly unsatisfactory shape in which the large bonded indebtedness of the city must present itself to any one interested in the financial management of the same, I accept your invitation to present such facts relating thereto as to me seem worthy of consideration when-ever steps are taken to revise and amend the Charter.

First, let me call your attention to the bonded debt outstanding and the time when due.

STATEMENT

Of the Bonded Debt of the City of Rochester by Years.

1890.....	\$ 25,500 00
1881.....	32,550 00
1882.....	109,136 13
1883.....	25,000 00
1884.....	70 000 00
1885.....	35,000 00
1886.....	35,000 00
1887.....	55,000 00
1888.....	55,000 00
1889.....	55,000 00
1890.....	55,000 00
1891.....	5,000 00
1892.....	5,000 00
1893.....	754,000 00
1894.....	4,000 00
1895.....	4,000 00
1896.....	24,000 00
1897.....	79,000 00
1898.....	4,000 00
1899.....	4,000 00
1900.....	4,000 00
1901.....	4,000 00
1902.....	339,000 00
1903.....	3,254,000 00
1904.....	410,000 00

\$5,446,136 13

There has never been any method provided to meet these bonds when due, except by placing the requisite amount in the tax levy of that year; and an examination of the above statement will show that with the exception of four years it might have been practicable to have carried out this plan.

But the amounts falling due some years are so large that they cannot, by any possibility, be met. How then shall they be provided for? It cannot be deemed prudent to let the future take care of itself; and who can now tell whether these bonds can be readily renewed in some future time, should it be found necessary.

Even leaving these items, which it is admitted cannot be paid when they mature, but must be provided for in some way not now established, it will be found that the amounts falling due in each year vary so greatly that future boards of Aldermen must be seriously embarrassed in the treatment of this troublesome question. Very many of the taxpayers are thoughtless in this matter, and judge the action of your honorable body wholly by the amount they are obliged to pay in any one year.

It seems obvious that with the amounts to be provided for in some years of the future, varying as they do, that the most conservative board may be severely criticized, whilst other boards, happening by chance to have no bonds to pay, might claim and receive great credit for apparent reduction of taxes.

To have some system whereby the taxpayer could look forward with a degree of certainty as to what he would be called upon to pay is desirable; and the remedy, it seems to me, to provide against such contingencies would be to establish

A SINKING FUND.

It would act like the balance wheel of a piece of machinery, and would materially assist in so adjusting the requirements of the city that the annual amount to be paid could be readily anticipated by the taxpayers.

The bonded debt of the city is equal to about 10 per cent. of the whole assessed valuation of the real estate, and the manner of paying this debt is of great importance.

I suggest, as I have heretofore when this subject has been considered, that some fixed amount of each tax levy be appropriated to that purpose. This money should be turned over to the Sinking Fund, which, if established, must be cared for by Trustees, as is done in other cities; and by good management the payments of these bonds could be readily equalized, either by purchase or reissue. The latter plan is worthy of a favorable consideration, while the rate of interest is so low and municipal bonds are in such demand.

While fully believing that "to pay as you go" is the only sound theory to be observed in the financial management of any corporation, where those in power are of necessity acting as trustees for the owners, it must be admitted that this board, in any action they may take in readjusting and improving a matter handed down to them in very bad shape, will be acting greatly to the advantage of their constituents.

An intelligent consideration of the subject will be greatly aided by the following statement of the financial condition of the city, taken from the last trial balance sheet of the books in this office, which is made at a time of the year when no floating debt (or temporary loans) is outstanding, and consequently is much less complicated than a similar one would be if presented at the time of the rendering of my annual report in March. I have endeavored to make this as simple and comprehensive as possible:

STATEMENT OCTOBER 11, 1879.

LIABILITIES.	
Bonded debt.....	\$5,446,186 13
Assessment notes.....	40,435 44
Unpaid interest on bonds (not due).....	192,890 78
Collectors of assessments for amount collected and passed to their credit, to be transferred to sundry local assessments when final settlement is made.....	3,808 75

Amount to credit of several funds subject to draft as follows:

Board of Education Fund.....	78,228 40
Fire Department Fund.....	28,638 67
Poor.....	25,956 02
Police.....	26,114 41
Contingent.....	38,827 67
Highway.....	28,774 23
Lamp.....	26,628 74
Health.....	4,149 07
City Property Department Fund.....	3,492 81
House for Trucks Fund.....	9 10
Salary and Expense Fund, account of Executive Board.....	4,286 70
Park Fund.....	382 77
Water Works Fund.....	5,258 65
Certificates of sales redemptions to credit of individuals.....	114 93
Interest on assessments.....	3,218 88
Local assessments, being appropriations to pay assessments on parks, school houses, &c.....	3,960 19
Water Pipe Fund.....	9,168 06
Executive Board, stone breaking account. Search Department, to be credited Contingent Fund.....	1,838 81
	656 65

	\$5,966,409 71
ASSETS.	
Cash on hand.....	\$ 90,125 59
Lands sold for taxes.....	99,260 78
Lands returned for local assessments subject to sale.....	5,501 69
Bonds and mortgages.....	7,093 87
Special deposit for account of G. V. R. R. loan in the Rochester and Monroe County Savings Banks.....	11,484 00
General taxes 1879, amount unpaid and in process of collection.....	199,588 46
Water Works contractor, half judgment for damages ordered charged in this way per resolution of C. C. April 7th, 1877, to be deducted from any final settlement that may be had with said contractor.....	180 00
Assessments on ordinances—amount due the city on local improvements under ordinances.....	148,291 99
Union Trust Co.—Amount on deposit to meet unpaid interest and coupons, as per last account current.....	3,923 50
	\$ 565,349 88
Total liability.....	\$5,966,409 71
Total assets.....	565,349 88

Deficiency.....\$5,401,059 83

This consists of the following debit balances, to be provided for hereafter in the tax levy or otherwise:

Sidewalk repairs.....	\$ 1,735 38
Monroe Avenue school loan.....	15,000 00
cemetery loan.....	5,000 00
Floating debt, 1868-69-70.....	150,000 00
loan 1873, account flood damages and bounty loan 1864.....	\$60,000 00
Less amount received from W. C. Rowley for flood damages awarded by the Legislature.....	20,205 64
	\$39,794 36
R. N. & P. R. R. loan.....	150,000 00
R. & S. L. R. R. loan.....	600,000 00
Floating debt 1862 loan.....	51,000 00
G. V. R. R. loan, reissue.....	\$164,000 00
Less amount to credit of said loan in Savings banks.....	11,484 00
	152,516 00
Relief of soldiers families loan.....	40,000 00
City Hall loan.....	385,000 00
Free Academy site loan.....	\$ 15,000
building loan.....	125,000
	140,000 00
Water Works loan.....	3,182,000 00
N. Y. S. Arsenal site loan.....	14,186 13
Steam fire engine loan.....	20,000 00
Main street widening loan.....	25,000 00
Clarissa street bridge loan.....	15,000 00
Funding loan 1875.....	410,000 00
No 5 school house loan.....	20,000 00
Deficiency loan.....	\$50,000 00
Less amount of old taxes and interest redeemed and credited to this loan.....	15,386 95
	34,613 05
Erroneous assessments.....	164 91
	\$5,401,059 83

These figures are taken from the books of this office, and I believe them to be correct in

every particular; yet they require some explanation, from the fact that in none of the several departments is there any account kept of the property belonging to the city which has been paid for, and most of which is in use and necessary to the proper management of the city's business.

Such an account has never been kept, nor is there any particular need of it; but in showing the financial condition of the city it should be considered. I have, therefore, prepared the following schedule, the values in which are based upon the cost to the city, or estimates of what they could be now be replaced for:

SCHEDULE.	
G. V. R. R. stock.....	\$ 300,000
R. & S. L. R. R. stock (nominal).....	—————
R. N. & P. R. R. bonds,	—————
Five bridges	400,000
City Hall.....	350,000
Free Academy.....	150,000
Front street building.....	100,000
Truant house and grounds.....	80,000
School houses and grounds.....	500,000
School house fixtures, &c.....	100,000
Fire apparatus.....	130,000
City alarm telegraph.....	15,000
Parks, &c.....	250,000
Water Works.....	3,500,000
Furniture, appliances, &c., in the several departments.....	10 000
	\$7,885,000

Also, assessed valuation of real estate in the city about \$50,000,000.

As will be seen, about \$5,400,000 must hereafter be provided for by tax levy or otherwise. The receipts from the Genesee Valley Railroad stock, the amount received from the county as rent for Arsenal, and the money paid in by the State as flood damages, will somewhat reduce this amount.

If it is concluded that some of our bonds *must* be renewed, *no better time than now* can ever occur. Municipal bonds, at low rates of interest, are commanding a premium; and few cities stand higher than Rochester.

Why not establish a sinking fund, take up all our short bonds and issue new ones at, say 5 per cent. interest, running for long time, preparing to meet this future indebtedness in the best manner possible?

A change of time of interest payments from July and January to February and August is also desirable, and if it could be effected upon the whole amount of the bonds now outstanding would save \$2,000 in the interest paid annually upon our temporary loans. The city receives each year from the Genesee Valley Railroad stock \$18,000. The surplus of interest, &c., on taxes and assessments is about \$20,000.

Sooner or later something must be done to remedy this defect in the financial system of the city. While the amount of the debt is not to be compared with some of the municipalities which have suffered bankruptcy and financial ruin, during the past year or two, from the nonpayment of interest or principal upon their respective indebtedness, still at some future day large obligations may mature with no provision to meet them.

DELINQUENCIES.

The several committees and departments in charge of the various funds, for which provision is made in the annual tax levy, proceed to expend their appropriations immediately, and, as a rule, exhaust their funds by the termination of the fiscal year; a large portion is for

interest upon bonds, and about one half of this amount has to be paid before the rolls are received in this office for collection. This money has to be borrowed, temporarily, as well as all amounts in arrears or delinquent upon the general tax rolls, assessment rolls for ordinances, ordinances for which assessments have not been made but upon which money has been paid, and lands which have been sold for taxes or assessments.

It occurs annually that most, if not all, of the funds *appear* to have balances to their credit which are wholly represented by these arrears, &c. For only about five months in the year is the city free from this temporary indebtedness; and from many causes there is little hope, for some time to come, that the amount to be so borrowed can be reduced. The large increase of interest to be paid upon bonds and consequent enlargement of the temporary loans, has occurred since the panic of 1873, while capital has been idle and seeking investment, so that such loans have been, so far, easily effected at a low rate of interest.

With the revival of business and manufacturing and the natural demand for money, and with increasing confidence in such investments, I apprehend that at some time, not far distant, it may be a difficult matter to place the city's bank account among our local banks with the stipulation upon their part that they will loan all the money that may be needed at legal interest. A sinking fund, in this extremity, would be found of great practical value in the city's financial management.

REBATES, CANCELLATIONS, &C.

Your board is so frequently called upon, by petition or otherwise, to rebate, cancel, or reduce tax sales, or some part of the penalties attached thereto, that it will readily be seen that the importance of so perfecting the method of collection, as to have as small a proportion of the property assessed go to a sale as possible, more especially the smaller places, where the expenses of a sale are double, and sometimes quadruple the amount of the original tax, cannot be questioned.

The present system was well enough when taxes were smaller and times better—when it was practical to almost collect the whole tax, as was done in 1871. In no year before or since have they been so well collected; but now, with such an increase of numbers of taxes, and the requisite labor entailed in making out the warrants and settling with collectors, leaves little time for the collector to do his duty or the delinquent to meet his payments. If some method could be devised giving more time, as is done in other cities, receiving these arrears in installments, great relief would be granted to the taxpayer and efficiency assured to the city in the collection of its revenues; besides, it would enable the city to accomplish what I have so often recommended to your honorable body, viz: a complete settlement with the Treasurer of every tax or assessment placed in his hands for collection. This is of no little importance, but at present impossible from want of time previous to the rendering of the Treasurer's annual report.

Whatever is done in this direction will, I am sure, meet with a grateful response; and from the experience of this office, in accommodating those willing but unable to pay, by receiving

their taxes and assessments in installments, it would be safe to expect greater exertions to pay up. It will be found that almost every one will pay who can, and in justice to those who do pay, often at a great sacrifice, all should be required to do so.

There are a large number of tax sales upon which the time of redemption has expired and which should be looked after and brought to a settlement; but very many might make an extra exertion, if the same privilege were extended to them, that has been accorded to a few who have petitioned for it. That is to say, give all a chance to pay up these arrearages at a reduced interest from the 15 per cent. provided in the charter, during a reasonable time, with the understanding that at the expiration of such limit the demands of the city must be enforced.

Surely all parties are equally worthy of consideration; a sacrifice of the comforts of life to pay a small amount is as reasonable an argument as the pecuniary loss which is so strenuously urged by a large taxpayer in his favor.

PERSONAL TAXES, LICENSES, &C.

This is a subject of great importance. No tax, license, or fee, is so obnoxious to the citizen as one that is inequitably administered. The imposition of a fair and just license fee (if any is to be exacted) even though the amount be almost nominal, would greatly increase the revenues of the city. As an illustration, upwards of \$20,000 is received annually from the Excise Board.

The propriety of requiring a license fee from some and not from others may well be questioned, especially if no effort is made to protect the party so licensed in the privileges he has paid for. Yet this city has always received a number of thousand dollars annually which, in common justice, ought to be greatly increased or abandoned altogether.

The system of personal taxation is about as ineffectual as it can well be, and so far as I can learn, is so all over the State. I have prepared the following figures to illustrate the fact.

The whole amount of personal taxes upon the general assessment rolls of this city for 1879 is only \$34,551.69, divided as follows:

Twelve corporations.....	\$23,488 19
(Now, be it remembered, that every stock company is organized to meet some requirement of the public, and, if successful, must do great good in the locality where it exists.)	
Seventy-two business men and firms.....	4,381 80
(Individuals, composing two firms, pay about one-fourth of this amount.)	
Forty individuals and estates, not interested in any business.....	6,681 70
Total.....	\$34,551 69

A serious consideration of this subject may lead to practical results. No bonds were due this year; every effort was made to the end of retrenchment and reform, yet the taxes are as high as the people can stand. Rochester is an exceptional city, spreading over much territory; the real estate is owned largely by people of moderate means. Almost every one, who so wills, can own his or her home at a reasonable price, and, if taxes are to be increased, to pay the principal of this bonded debt new sources of revenue, must be established.

There can be no doubt that some system of

collecting a tax upon personal property used in business might be devised that would yield a handsome revenue and yet not prove a burden to any one.

Bear in mind that the seventy-two business men—all that pay directly upon their business investments in this city—only pay, upon an average, about \$60 annually.

Now, a much smaller average paid by every one would, added to what is now received and properly belonging to a sinking fund, provide for this debt.

The whole State tax is collected in this way upon business capital in the city of Philadelphia, under a sort of general license system; while in Ohio, Indiana, Wisconsin, and other states, taxes upon personal property are most rigidly enforced, and no claim of indebtedness is allowed as an offset.

One thing more. It is probably necessary to have the charter so changed as to only collect or pay 6 per cent. interest upon local improvements after January 1st, 1880, that being the legal rate for all other indebtedness thereafter.

Yours respectfully,

GEORGE D. WILLIAMS, Treasurer.

Ordered received, filed and published.

By the Clerk—

MONROE COUNTY COURT.—In the matter of the application of the city of Rochester for the opening of a street from Goodman street to East Main street and condemnation of the lands of James Hair and Florence Hair, &c.

The owners, James Hair and Florence Hair, and Martin W. Cooke, lessee and occupant of the premises sought to be condemned herein and taken for said street, except to the findings and report of the Commissioners, Samuel Wilder, James Vick and Isaac F. Quimby, herein as follows:

1. Said James Hair and Florence Hair except to the report of the Commissioners in that they find their damages \$4,000, whereas they should have reported and found the damages much more, to wit: \$6,000.

2. The said James Hair and Florence Hair and Martin W. Cooke except to the second item of the said report, wherein the Commissioners report that there be paid to James Hair and Florence Hair or Martin W. Cooke the sum of \$150, on the ground that such report and finding is not in accordance with the statute; that it is in the alternative and the Commissioners do not report the amount which shall be paid to the lessee and occupant of said premises.

3. The said James Hair and Florence Hair except to the said report in that it does not comply with the statute in such case made and provided; that the Commissioners acted upon an illegal and improper measure of the damages, and in estimating the damages the Commissioners adopted an illegal and improper method of estimating the same; that the report was against the evidence.

Dated October 15, 1879.

MARTIN W. COOKE,

Att'y for Exceptants, Rochester, N. Y.

Ordered received, filed and published.

HEADQ'RS LOCAL EXECUTIVE COM., }
SOCIETY A. OF C. }
WASHINGTON, D. C., Nov. 1st, 1879. }

To the Mayor of the city of Rochester, N. Y.:

SIR;—I have the honor to invite you, and

through you, the Common Council and officers of your city government, to attend the eleventh reunion of the Army of the Cumberland and the unveiling of the Thomas statue in this city on the 19th and 20th of this month.

Please signify your early acceptance.

Very respectfully, your obedient servant,

W. M. D. McCook,
Brevet Major Gen'l, U. S. A.
For the Local Ex. Committee.

Ald. Mandeville moved that the invitation be accepted and that the clerk be directed to send a note thanking them for the invitation. Adopted.

By the Clerk—

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

GENTLEMEN :—At a recent meeting of your board the following resolution was adopted—viz. : “Ald. FitzSimons moved that the City Attorney present an opinion at the next meeting in regard to the validity and effect of the veto of his honor the Mayor presented and acted upon at the last meeting.” “Adopted.”

In compliance with that resolution I here-with present my views in relation thereto.

On an examination of your proceedings I find that at a regular meeting of your board held on the ninth day of September, 1879, the following resolution offered by Ald. FitzSimons was adopted :

By Ald. FitzSimons—

Whereas, the Map and Survey department of this city is equipped with a full corps of competent engineers and surveyors who are supplied with all the necessary instruments and material used by the craft, at the city's expense; and,

Whereas, The maintenance of a similar and separate department by the Fire and Water Board is an extravagance which is not authorized by the city charter nor contemplated by any of its amendments : Therefore,

Resolved, That the Fire and Water Board be requested and required to turn over to the City Surveyor all maps, charts, drawings, statistics, instruments and material belonging to or in use by the engineering department or bureau under control of the said Fire and Water Board, and to discontinue the said department or bureau, and that the Map and Survey Committee of the Common Council be authorized, if they shall deem it necessary, to employ one of the now employed by the Fire and Water Board under the City Surveyor at a salary not exceeding \$1,600.”

On the 12th day of September, 1879, the City Clerk presented to the Mayor a certified transcript of all of the proceedings of the Common Council had at said meeting.

On the 18th day of September, 1879, the Mayor returned to the Clerk the transcript of said proceedings with the following endorsement thereon :

MAYOR'S OFFICE,
ROCHESTER, Sept. 18, 1879. }

I hereby approve the foregoing proceedings of the Common Council, with the exception of the resolution providing for the discontinuance of the Engineering Department of the Fire and Water Board.

CORNELIUS R. PARSONS, Mayor.

On the 23d day of September, 1879, he sent to the Common Council, through the City Clerk, a communication in writing setting

forth in detail the reason why he withheld his approval of the resolution aforesaid.

My opinion is solicited in regard to the validity and effect of the Mayor's withholding his approval of the resolution aforesaid.

Section 50 of the City Charter, among other things, provides as follows : “ § 50. Before any ordinance, resolution, or order of the Common Council, concerning any public improvement, or for the payment of money, or any ordinance resolution, or act of a legislative character passed by the Common Council shall have any force or effect, a transcript of such ordinance, resolution, order or act shall be presented to the Mayor for his approval; if he approves, he shall endorse his approval thereon in writing, and sign such approval; if he disapproves, he shall return such transcript to the Common Council, or the Clerk thereof, with his objection in writing, which shall be filed by the Clerk, and the Common Council shall at its next meeting thereafter, proceed to re-consider such ordinance, resolution, order or act, thus disapproved, and if the same shall be passed by two-thirds of all the members of the Common Council, then in office, the same shall have full force and effect notwithstanding the objections of the Mayor. If any such transcript shall not be returned by the Mayor to the Common Council or Clerk within five days after it shall have been presented to him (Sundays excepted), such ordinance, resolution, order or act, shall have full force and effect in like manner as if duly approved by the Mayor, &c.”

The provisions of the charter above quoted (while the language employed is not identical) is similar to the provisions of the constitution of the State of New York relating to vetoes by the Governor thereof of bills passed by the Legislature. On examining several of the Governor's vetoes, I find that in every instance he has employed the following language, viz. :

“ To the Senate or Assembly,” as the case may be.

“ I return, without my approval, Senate or Assembly bill No. —,” (quoting the title of the bill.) and then assigns his reasons therefor.

The word “ I return without my approval” have always been regarded and acted upon by the Legislature as a veto. No one can doubt that the Mayor in this case intended to veto the resolution, but does the endorsement on the transcript signed by him, and returned to the Clerk, amount to a veto ?

He is required by the charter to do either of two things : to approve or disapprove of the proceedings. If he approves, he shall endorse his approval thereon in writing, and sign such approval. If he disapproves, he shall return such transcript to the Common Council, or the Clerk thereof, with his objections in writing. In the present case he approves of all of the proceedings, (with the exception of the resolution in question :) he thereby withholds his approval of the same. If he had gone one step further and added the following words, viz. : “ to which I object,” I am of the opinion that there would then have been no question but what that would have been a full compliance with the provisions of the charter. I am of the opinion the Mayor is not required to state the reasons why he objects to any part or portion of the proceedings of the Common Council ; it is optional with him to do so or not ; and if he assigns reasons, he may state them

in connection with his veto, or he may communicate them to the Common Council at some subsequent period. In this case he has simply withheld his approval of the resolution in question. He thereby dissents to it; it does not meet his approval; in other words, he objects to it. While this may be a close question, yet I am of the opinion that, should it ever be presented to the Court for its decision, it would decide that the language employed by the Mayor amounts to a veto under the charter.

All of which is respectfully submitted.

A. G. WHEELER,
City Attorney.

Dated Nov. 4th, 1869.

Ordered received, filed and published.

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
ROCHESTER, N. Y., Nov. 1, 1879. }

To the Common Council:

I transmit herewith as required by law a Statement showing expenditures by this Board in the month of October, 1879, and the condition of the several funds in the charge of this Board at this date.

Respectfully, your obedient servant,
V. FLECKENSTEIN, Clerk.

CITY OF ROCHESTER, }
WATER WORKS AND FIRE BOARD, }
OFFICE CITY HALL, NOV. 1, 1879. }

STATEMENT

Of expenditures by the Water Works and Fire Board in the month of October, 1879, and of the condition of the Funds in the charge of the Board at this date.

DISBURSEMENTS.

Water Works Fund.....	\$4,434 08
Water Pipe Fund.....	6,502 04
Fire Department Fund.....	3,109 78
	\$14,045 90

Amount of orders credited to City Treasurer. 14,045 90

MONTHLY BALANCE SHEET—CONDITION OF FUNDS.

City Treasurer, Dr. Balance.....	\$38,830 44	
Water Works Fund, Cr. Balance,	\$8,529 71	
Water Pipe Fund,	3,197 89	
Water Works Special Fund,	1,515 47	
Fire Department Fund,	25,587 37	
	\$38,830 44	\$38,830 44

[Official.] V. FLECKENSTEIN, Clerk.

OFFICE OF WATER WORKS AND FIRE BOARD, }
CITY HALL, ROCHESTER, N. Y., Oct. 31, 1879. }

DETAILED STATEMENT of expenditures by the Water Works and Fire Board in the month of October, 1879:

FINANCE BUDGETS.

Water Works Fund.

October 3.	
J W McKindley & Son, hardware.....	\$ 3 32
Littlefield & Seifried, tools.....	7 05
J B Colman, repairing tools.....	9 88
L Schmitt, horse-shoeing.....	8 75
A E Hartman, on contract.....	250 00
W McCarthy, labor at D reservoir.....	4 50
Woodbury, Morse & Co, paint.....	9 92
A M Semple, oil.....	3 64
Henry Hebing, spades.....	5 00
L A Pratt, wearing boots.....	12 50
N Y L E & W R R Co, freight.....	8 67
John S Dye, bank and coin detector.....	1 50
Geo B Harris, work in office.....	9 59
Weekly pay roll, service, repairs, &c.....	101 69
do do work at S reservoir.....	20 25
	448 26

October 10.	
T J Neville, postage stamps.....	25 00
J B Colman, taps and plugs.....	112 55
J Emory Jones, labor and material....	59 63
L L Nichols, services as engineer preparing for trial.....	36 00
J S Galantine, services and expenses preparing for trial.....	100 00
O E Andrews, meals for men.....	6 75
Mack & Co, repairing tools.....	1 25
Western Union Co, telegraphing.....	1 44
Ambrose Cram, labor and material...	54 10
A Borchalt, agt. lithogram.....	7 00
Arthur Seldin, lamps, reflectors, &c.....	24 44
T J Neville, office disbursements.....	6 01
Geo B Harris, work in office.....	9 59

Weekly pay roll, service, repairs, &c.....	89 50	
Pay roll, labor repairing breaks.....	84 62	
do do D res'r and H lake.....	7 50	638 38

October 18.	
Wm Watson, labor and material.....	4 50
Thos Jackson building foundation.....	50 00
Thos Redfern, repairs at pump house, ..	8 27
A E Hartman, on contract.....	350 00
A H Kasseall, stabling.....	36 00
V Fleckenstein, clerk, expenses inspecting line.....	86 93
Evening Express Co, blanks.....	6 00
T J Neville, postage stamps.....	25 00
Mack & Co, rep tools.....	1 25
Jno C Moore, blank books, &c.....	13 50
A A Gibbs, lumber.....	9 30
J W McKindley & Son, hardware.....	1 25
Executive Board, team labor.....	6 00
Otis & Gorsline, pipe.....	15 18
T J Neville, office disbursements.....	8 05
Geo B Harris, work in office.....	9 59
Weekly pay roll, service, reps, &c.....	101 13

October 24.	
Goodale & Pells, lamp chimneys, &c.....	2 32
Orrin Purcell, labor and expenses C. Lake.....	59 15
Jno Snow, brass wire.....	3 00
Hollister & Co, lumber.....	8 02
V Fleckenstein, clerk, expenses inspecting line.....	12 00
T J Neville, office disbursements.....	7 35
Vacuum Oil Co, oil.....	5 00
Executive Board, team work.....	4 10
Alling Bros, leather.....	11 97
A E Hartman, bal on contract.....	126 50
Geo D Williams, Treas, error in water tax.....	3 05
J S Galantine, services and expenses in suit, Smith et al vs city.....	144 32
Geo B Harris, work in office.....	9 59
Weekly pay roll, service, rep, &c.....	106 25

October 31.	
Brown's race Com'rs, assessment for cleaning, &c.....	50 00
A Drinkwater, veterinary services.....	6 00
Expenses at Hemlock and Canadice Lakes.....	23 25
Geo D Williams, Treas, erroneous assessment.....	21 48
Geo B Harris, work in office.....	9 59
Powers & Weightman, vitriol.....	86 87
L Gardner, painting fountains.....	3 85
R D Wood & Co, hydrants.....	166 50
N Y L E & W R R Co, frt on hydrants..	3 50
Taylor Bros, thermometers.....	1 50
Monthly pay roll, Conduit line, Sec 2.....	111 31
Weekly pay roll, service, rep, &c.....	92 50
Pay roll, labor at storage reservoir.....	4 25
do do conduit line, sec 1.....	72 56
W. Westbrook, boarding men H. Lake Reik & Lapp, labor and material at break.....	13 07
Robert Crennell, expenses at break.....	9 30
S Wilcox, board of men.....	12 87
L Hawes, horse and wagon.....	7 00
T Jackson, work on house S reservoir. Rochester German Insurance Co., insurance S reservoir.....	37 65
C A Phillips & Co., coal.....	140 00
	2,115 47

Total amount charged W. W. Fund... 4,434 08

October 3.	
N Y C & H R R Co, freight.....	7 50
N Y L E & W R R Co,	17 01
F A Lee, freight and cartage.....	2 05
Littlefield & Seifried, tools.....	5 38
W A Anderson, inspecting pipe.....	104 69
A C Bowen, estimate group 43.....	70 00
Howe & Snyder, estimate group 44.....	100 00
Pay roll, inspectors, &c.....	21 00

October 10.	
N Y C & H R R Co, freight.....	7 50
Union Tel Co, telegraphing.....	17 01
James D Casey, estimate group 41.....	320 00
A C Bowen,	60 00
John Howe,	200 00
David Clancy,	440 00
Pay roll, inspectors, &c.....	31 25

October 18.	
N Y C & H R R Co, freight.....	87 50
T J Neville, cartages, &c.....	4 30

M Diefendorf, trenching.....	25 80	
Howe & Snyder, pipe and fittings.....	90 00	
A C Bowen, estimate group 43.....	90 00	
David Clancy,	300 00	
Pay roll, inspectors, &c.....	29 60	576 60

October 24,		
Water Works Fund, two bills for labor	48 52	
Pay roll, inspectors &c.....	21 00	
Drullard & Hayes, water pipe.....	3,059 64	
John Howe, estimate group 45.....	120 00	
F C Lauer, do do 46.....	200 00	3,449 16

October 31,		
N Y C & H R R R Co, freights	22 50	
Pay roll-Inspectors, &c.....	29 25	
do Eng. and del. pipe.....	109 00	
S J Wagoner, drawing pipe.....	118 65	
David Clancy, estimate group 42.....	310 00	589 40

Total amount charged Water Pipe Fund... 6,502 04

FINANCE BUDGETS.

Fire Department Fund.

October 3,		
L S Gibson, hay	14 33	
B F Blackall, expenses of F A Tel.....	7 15	
Smith, Perkins & Co, brooms.....	5 00	
Citizens' Gas Co, gas bills.....	8 75	
Rochester Gas Lt Co, do.....	16 00	51 23

October 10,		
Water Works Fund, labor and mat'ls.	15 33	
T J Neville, office disbursements.....	6 30	
Geo B Page & Son, repairing harness.....	8 75	30 44

October 18,		
B F Simpson, oats.....	162 80	
L S Gibson, washing bills	24 95	
J Sherry, trace links.....	28 00	
Thomas Brooks, repairing harness.....	8 95	
S B Roby & Co, harness fixtures.....	1 03	
John Snow, window guards.....	10 00	
Mack & Co, repairing tools.....	1 00	
J P Dowd, do ext'n.....	21 25	252 98

October 24,		
L S Gibson, expenses.....	5 00	
C Sheu, hay.....	77 07	
L W Wehn, hay and straw.....	36 89	118 96

October 31,		
C C Woodworth, sal. as mem. of Board	166 67	
V Fleckenstein,	166 67	
A Drinkwater, veterinary services.....	45 00	
Monthly pay roll, officers and men.....	2,266 83	
Kelly Lamp Works, repairs to lamps.....	2 00	
L S Gibson, expenses.....	4 00	
J N Gow, repairs F A Tel.....	4 80	589 40

Total amount charged to Fire Dep't Fund 3,109 78

WATER WORKS AND FIRE BOARD, }
OFFICE, CITY HALL, October 31, 1879.

Detailed Statement of Payrolls, included in the Finance Budgets of this Board, passed in the month of October, 1879.

WATER WORKS DEPARTMENT.

Service, Repairs, &c.

October 3, 1879.			
P. C. Fleming.....	1 week	12 00	12 00
E. A. Maher.....	1 ..	12 00	12 00
John King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
H. Weber.....	1 ..	9 00	9 00
J. Gallagher (wkd 2 nhts).....	2 days	1 25	10 00
F. McKenna.....	8 ..	1 25	10 00
P. Leck.....	8 ..	1 25	10 00
J. Huber.....	1 1/2 ..	1 25	1 88
J. Geib.....	1 1/2 ..	1 25	1 87
A. Keller.....	1/2 ..	1 25	62
P. Boyle.....	3/4 ..	1 25	94
J. Redding.....	3/4 ..	1 25	94
J. Long.....	3/4 ..	1 25	94
			101 69

Storage Reservoir.

October 3, 1879.			
James Spellman.....	3 days	1 25	3 75
John Spellman.....	3 ..	1 25	3 75
Michael Fahy.....	3 ..	1 25	3 75
Thomas Hays, team.....	3 ..	1 25	9 00
			20 25

Water Pipe Extension.

October 3, 1879.			
W. Fogarty, inspector.....	6 days	1 50	9 00
James Kane, Jr	4 ..	1 50	6 00
F. McKenna.....	4 ..	1 50	6 00
			21 00

Service, Repairs, &c.

October 10, 1879.			
P. C. Fleming.....	1 week	12 00	12 00
E. A. Maher.....	1 ..	12 00	12 00
J. King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
H. Weber.....	1 ..	9 00	9 00
J. Gallagher.....	7 days	1 25	8 21
J. Gallagher, extra, night			
work.....			5 00
F. McKenna.....	7 days	1 25	8 75
P. Leck.....	7 ..		7 75
P. Leck, extra, night work.....			3 75
			99 50

Repairing Breaks.

October 10, 1879.			
E. Farley, 1 night 2 50 and 4 days	1 25	7 50	
J. Huber, 2 nights 2 50 and 5 1/2 ..		11 87	
J. Geib.....	1 1/2 ..	1 00	1 50
P. Boyle, 2 nights 2 50 and 5 3-10 ..	1 25	11 62	
J. Redding 2 .. 2 50 and 5 1/2 ..	1 25	11 87	
J. Long.....	2 ..		2 50
A. Keller.....	2 ..		1 25
R. Reiskey.....	1/2 ..		62
T. Cochrane 1 night 2 50 and 1 1/2 ..		3 13	
A. Supper 2 nights 2 50 and 3 8-10 ..		9 75	
W. Fogarty 2 .. 2 50 and 1 1/2 ..		6 25	
H. Ermentraut 1 n't 2 50 and 1/2 ..		3 12	
C.EMBER.....	1/2 ..		62
M. Fitzpatrick 1 n't 3 00 and 6-10 ..	1 50	3 90	
P. Newcomb 1 night 2 50 and 1/2 ..	1 25	3 12	
E. McMemony 1 n't 3 00 and 2 ..	1 50	6 00	
			84 62

Dist. Reservoir.

October 10, 1879.			
Robert Long.....	2 days	1 50	00
J. Costello.....	1/2 ..	1 00	50
			3 50

Hemlock Lake.

October 10, 1879.			
Chas Connors and helper..	2 days	2 00	
			4 00

Water Pipe Extension.

October 10, 1879.			
G. A. Hotchkin.....	5 days	1 75	8 75
W. Fogarty.....	3 ..	1 50	4 50
F. McKenna.....	6 ..	1 50	9 00
Jas Kane Jr.....	6 ..	1 50	9 00
			31 25

Service, Repairs, &c.

October 18, 1879.			
P. C. Fleming.....	1 week	\$12 00	\$12 00
J. King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
H. Weber.....	1 ..	9 00	9 00
E. A. Maher.....	5 days	2 00	10 00
W. Fogarty.....	2 ..	1 50	8 00
J. Gallagher.....	3 1/2 ..	1 25	8 13
P. McKenna.....	6 ..	1 25	7 50
P. Leck.....	6 ..	1 25	7 50
E. Farley.....	6 ..	1 25	7 50
Jas Redding.....	1 day	1 25	1 25
Patrick Boyle.....	8-10 ..	1 25	1 00
J. Huber.....	2 days	1 25	2 50
P. Hennessy.....	1/4 day	1 00	25
			101 13

Water Pipe Extension.

Oct. 18, 1879.			
Geo A Hotchkin.....	6 days	1 75	10 50
E. A. Maher.....	1 ..	2 00	2 00
W. Fogarty.....	1 ..	1 50	1 50
F. McKenna.....	6 ..	1 50	9 00
Jas Kane, Jr.....	6 ..	1 50	6 00
			29 00

Service, Repairs, Etc.

Oct. 24, 1879.			
P. C. Fleming.....	1 week	\$12 00	\$12 00
E. A. Maher.....	1 ..	2 00	12 00
J. King.....	1 ..	10 50	10 50
L. T. Lidster.....	1 ..	10 50	10 50
F. Curran.....	1 ..	10 50	10 50
H. Weber.....	1 ..	9 00	9 00
W. Fogarty.....	4 days	1 50	6 00
J. Gallagher.....	6 1/2 ..	1 25	8 13
P. McKenna.....	6 1/2 ..		8 12
P. Leck.....	6 ..		7 50
E. Farley.....	6 ..		7 50
John Barry.....	4 1/2 ..	1 00	4 50
			106 25

Water Pipe Extension.

Oct. 24, 1879.			
Geo. A. Hotchkin.....	6 days	1 75	10 50
F. McKenna.....	6 ..	1 50	9 00
W. Fogarty.....	1 ..		1 50
			21 00

Service Repairs, &c.

Oct. 31, 1879.			
P. C. Fleming.....	1 week	12 00	12 00

E. A. Maher	1	12 00	12 00
J. King	1	9 00	9 00
F. Curran	1	10 50	10 50
L. T. Lidster	1	10 50	10 50
H. Weber	1	9 00	9 00
W. Fogarty	5 days	1 50	4 50
J. Gallagher	6 1/2 days	1 25	8 13
P. McKanna	6 1/2	1 25	8 12
P. Leck	6 1/2	1 25	7 50
E. Farley	1	1 25	1 25

Storage Reservoir.

Oct. 31, 1879.			
Thomas Hays, team	1 day	3 00	3 00
Michael Fahy, laborer	1	1 25	1 25

Conduit Line Sec. 2.

Oct. 31, 1879.			
Wm Thompson	27 days	1 25	83 75
E Coyne	6	1 50	9 00
E W Oviatt	17	1 25	21 25
James Kavanagh	3	1 50	4 50
Wm Watson	3 1/2	1 25	4 37
P Chesebro	8 1/2	1 25	10 94
E Coyne	8 1/2	1 25	12 50
James Kavanagh	10	1 25	12 50
A Denison, team	1 1/2	2 00	3 00

Conduit Line, Sec. 1.

Oct. 18, 1879.			
F F Baker	10 days	1 25	12 50
C O'Reilly	7	1 25	8 75
L Laird	5 1/2	1 25	6 56
G Miller	1	1 25	1 25
W Sullivan	6	1 25	7 50
D Dranchell	7	1 25	8 75
C Creed	7	1 25	8 75
A Spellacy	6	1 25	7 50
P Bray	1	1 25	1 25
G Toxford	1	1 25	1 25
E Rollins	1	1 25	1 25
L Broughton	1	1 25	1 25
T Titus, team	1	2 00	2 00
Geo Titus, team	1	2 00	2 00
T Hays, team	1	2 00	2 00

Water Pipe Extension.

Oct. 31, 1879.			
Geo A Hotchkiss	6 days	1 75	10 50
F McKenna	6	1 50	9 00
Jas Kane, Jr	3	1 50	4 50
W McCarthy	3 1/2	1 50	5 25

Water Pipe Extension.

Oct. 31, 1879.			
T. H. Rogers, daughtsman	1 mo	55 00	55 00
John McMahon, delivering pipe	27 days	2 00	54 00

WATER WORKS FUND.

OPERATING EXPENSES—MONTHLY PAY ROLL, Oct. 31, 1879.			
J. N. Tubbs, Chief Engineer, 1 month		\$283 34	
E. Kuiching, Assistant Engineer, 1 mo.		133 33	
T. J. Neville, Clerk, 1 month		125 00	125 00
C.A. Padley, Receiver, 1		75 00	75 00
W. N. Tubbs, Clerk, 1		40 00	40 00
L. M. Mandeville, do	1	50 00	50 00
S. C. McKay, Supt. of Repairs, 1 do		90 00	90 00
Henry C. Smith, Engineer, 1 do		75 00	75 00
P. J. Healey, Helper, 1 do		45 00	45 00
P. J. McCracken, Helper, 1 do		45 00	45 00
D. S. Almstead, Gate Keeper, 1 do		50 00	50 00
C. W. Almstead, Gate Keeper, 1 do		40 00	40 00
Alexander Gray, Gate Keeper, 1 do		40 00	40 00
T. M. Blossom, Gate Keeper, 1 do		60 00	60 00
E. Crennell, Overseer, conduit 1 do		60 00	60 00
S. H. Oviatt, Overseer conduit 1 do		60 00	60 00
		\$1,201 67	

FIRE DEPARTMENT FUND.

MONTHLY PAY ROLL—OFFICERS AND MEN—OCTOBER 31st, 1879.			
L S Gibson, Chief Engineer		\$120 00	
J Malcomb, Assistant		33 33	
B F Blackall, Supt. F. A. Telegraph		112 50	
J P Foreman, Sup't Hose Dept		60 00	
P. J. Hartel, eng'r and fore'n No. 1		60 00	
M. Lambert, driver		50 00	
J. Bauer, hoseman		50 00	
Thos Cole		50 00	
John Colbert		50 00	
Frank A Jaynes, foreman No. 2		55 00	
Charles Weaver, driver		50 00	
F. C. Whitbeck, hoseman		50 00	
J. B. Teller		50 00	
E. H. Mix		50 00	
J. P. Pomham, engineer No. 3		60 00	
C. Armstrong, driver		50 00	
J. McCormick, hoseman		50 00	

Charles Little			50 00
Owen Lynch			50 00
Sam'l Bemish, foreman No. 4			55 00
Bernard Kearney, driver			50 00
Leo White, hoseman			50 00
George E. Baker			50 00
J. McMullen			50 00
Joseph Ringelstein, foreman H. & L. No. 1			25 00
J Plunkett, ass't			55 00
Thos Rice, tillerman			55 00
E. H. Roark, driver			50 00
James Snider, ladderman			41 00
F. O'Meara			50 00
J. E. Finzer			50 00
Frank Huck			50 00
Wm Boon eng'r and fore'm H. & L. No. 2			60 00
Dani O'Neil, tillerman			55 00
M S Butler, driver			50 00
Frank spears, ladderman			50 00
Thos. Whitley			50 00
Chas Schafer			50 00
Jerome P Dowd, eng'r and for'm Chem Ext'r			60 00
Nicholas Oldfield, pipeman			60 00
R Pendlebury, driver			50 00
Edmund Barker			50 00
Total			\$2,266 88

By the Clerk—

EXECUTIVE BOARD CITY OF ROCHESTER, }
ROCHESTER, N. Y., Nov. 1, 1879. }

To the Common Council:

I have the honor to transmit herewith :
1. A statement showing the expenditures of the Executive Board for all purposes during the month of October, 1879, accompanied by condensed summaries of finance budgets and weekly pay rolls.

2. A balance sheet showing the condition of the several funds in the charge of the Executive Board at this date.

Respectfully your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
CITY HALL, Rochester, N. Y., Nov. 1, 1879. }

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD FOR ALL PURPOSES DURING THE MONTH OF OCTOBER, 1879.

Total amount of all orders drawn upon the City Treasurer during the month.....\$36,207 54

Funds Debited.

Highway Fund	\$5,217 42
Sidewalk Repairs	303 43
Salary and Expense Fund	333 33
East Main Street Improvement	15,668 88
East Main Street Flag Walk	8,000 00
Hudson Street Improvement	8,512 02
Davis Street Pipe Sewer	230 00
Campbell Street Pipe Sewer	118 00
Favor Street Pipe Sewer	43 25
Plymouth street walk	230 91
Champlain Street Walk	70 09
State street and Lake avenue sprinkling	187 86
East avenue, section 1, sprinkling	76 87
East avenue, section 2, sprinkling	58 30
East avenue, section 3, sprinkling	116 57
East and West Main sts. sprinkling	382 86
West avenue sprinkling	218 18
State and Exchange sts. sprinkling	125 71
Front street sprinkling	136 43
Meigs street	75 99
Park avenue	54 42
Clinton street	142 43
Lake avenue	299 00
Spring street	172 57
Plymouth avenue	97 07
Monroe avenue	161 77
Union street	55 00
Andrews street	55 00
North avenue	44 06
Phelps avenue	54 43
Total	\$36,207 54

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
OFFICE CITY HALL, Rochester, Nov. 1, 1879. }

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 31st day of October, 1879.

Debit Balances	
E. Main Street Improvement	23,270 38
E. Main street flag walk	3,000 00
Hudson Street Improvement	17,605 02
Davis Street Pipe Sewer	230 00
Campbell street pipe sewer	118 00
Opening st through Hpr property	49 75
Sidewalk Repair Fund	2,167 80

Sundry Street Sprinkling Funds, 19
in number..... 4,476 96

Cr. Balances :
City Treasurer.....\$19,826 47
Highway Fund..... 25,824 85
Macadam Stone Fund..... 1,333 81
Salary and Expense Fund..... 3,902 78

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER,
Office, City Hall, Oct. 31, 1879.

Summary of payments in month of October, 1879,
as per Finance Budgets:

Highway Fund.
Paid for labor, amt of 5 weekly rolls\$3,131 54
H Hebnig, nails and hardware..... 20 41
J W McKindley & Son, do..... 7 35
Littfield & Seifried, do..... 18 75
Otis & Gorsline, sewer pipe..... 70 65
A H Kas-eall, stabling (2 bills)..... 40 00
J Stieghauser, repairing tools..... 40 02
Kraupp & Fisher, wood..... 3 50
C Schwalbach, sand and gravel..... 143 85
Geo H Harris, services (5 payments)..... 76 70
E Lockley, plow points and bolts..... 3 50
Wray & Edwood, repairing lock..... 5 50
F Bauer, stove and fixtures..... 4 00
Chace & Myers, lumber..... 47 72
L C Lange, coal..... 106 19
Meck & Co, tools and repairs..... 5 25
N H Galun, traps and grate..... 29 03
R & W Williamsoe, repairs to bridge..... 3 40
Geo Miller sand and gravel..... 31 05
Water Works and Fire Board, sprinkling hydrants..... 340 71
H L Fish, Ass't Supt P W, operating Allen st. bridge..... 30 00
Geo H H rris, disbursements..... 10 57
F X Vasseti, hack at runner's..... 3 00
G W & C T Crouch, lumber..... 1 68

Total charges to Highway Fund.....\$5,217 42

Sidewalk Repair Fund.
Chace & Myers, lumber..... 195 00
S. T. Hazeltine, erroneous assessment..... 3 98
Jas. H. Moore, labor 24½ days @ \$1.50..... 36 75
Peter Reeder, .. 12 .. 18 00
W. B. Davis, .. 23 .. 43 50
Valentine Brasch, .. 2½ .. 3 75
Conrad Ott, .. 2½ .. \$1 00 2 50

Total charge Sidewalk Repairs.....\$308 43

Salary and Expense Fund.
F. P. Kavanagh, salary.....\$166 66
F. C. Lauer, Jr., .. 166 67

Total.....\$333 33

Hudson Street Improvement.
F. C. Lauer, contractor, 2 estimate—
Time order, 1 year.....\$2,720 67
2 years..... 2,720 67
Cash order..... 2,720 68
Street Department, for use of steam roller..... 300 00
John Quin, inspector, 5 payments, 25 days, at \$2..... 50 00

Total.....\$8,512 02

East Main Street Improvement.
Geo. H. Thompson, contractor for masonry.....\$604 88
Whitmore, Rauber & Vicinus, contractors, 2 partial estimates—
Time order, 1 year..... 5,000 00
2 years..... 5,000 00
Cash order..... 5,000 00
B. F. Butler, inspector, 5 payments, 30 days, at \$2..... 60 00

Total.....\$15,664 88

Champlain Street Walk.
William M. Webb, contractor.....\$70 09

Plymouth Park Walk.
C. R. Pratt, contractor.....\$230 91

East Main Street Flag Walk.
Whitmore, Rauber & Vicinus, contractors, estimate—
Time order 1 year.....\$1,000 00
2 years..... 1,000 00
Cash order..... 1,000 00

Total.....\$3,000 00

Favor Street Pipe Sewer.

P J McMenomy & Co, contractor, extra work..... 43 25

Davis Street Pipe Sewer.

A C Bowen, contractor, estimate..... 200 00
J F Holahan, inspector 15 days at \$2.00..... 30 00

Total.....230 00

Campbell Street Pipe Sewer.

W M Webb, contractor, estimate..... 100 00
John Kase, inspector 9 days at \$2.00... 18 00

Total.....118 00

Opening Steet Through Hair Property.

I F Quimby, Com'r, fees and expenses..... 17 75
Jas Vick, .. 16 00
Samuel Wilder .. 16 00

Total.....49 75

Street Sprinkling Funds.

State street and Lake avenue, G. Bantel, contractor..... 137 86
East avenue, sec. 1, A. W. Turnbull, contractor..... 76 87
East avenue, sec. 2, A. W. Turnbull, contractor..... 58 30
East avenue, sec. 3, E. Weiler, contractor..... 116 57
East and West Main streets, S. D. Pierce, contractor..... 282 86
West avenue, G. Bantel, contractor... 213 13
State and Exchange sts., S. D. Pierce, contractor..... 125 71
Front street, G Bantel, contractor..... 136 43
Meigs street, J. M. Hinolf, contractor..... 75 99
Park avenue, J. Adamson, contractor..... 54 42
Clinton street, G Bantel, contractor... 162 43
Lake avenue, Logan & Creggan, contractors..... 287 00
Lake avenue, J E. Barnes, repairs.... 12 00
Plymouth avenue, G Bantel, contractor 97 07
Spring street, G Bantel, contractor... 12 57
Monroe avenue, G Bantel, contractor. 161 77
Union street, McConnell & Pringle, contractors..... 55 00
Andrews street, McConnell & Pringle, contractors..... 55 00
North avenue, McConnell & Pringle, contractors..... 44 00
Phelps avenue, Jas. Logan, contractor 54 43

Total.....2,384 46

Total of payments.....\$36,207 54

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to account of Highway Fund as per Finance Budgets in the month of October, 1879, embracing the time from September 26th to October 30th, inclusive:

	Kind of service.	Time.	Days.	Price.	Amt.
August Burbott,	laborer.....	31¼	1 00	31 25	
Jacob Brown,	..	30	..	30 00	
Pat'k Boylan	..	12½	..	12 50	
Patrick Boyle,	..	23	..	22 00	
Chas Bushallac	..	39	..	39 00	
Valentine Brasch, carpenter	..	26	1 50	39 00	
Martin Bieck laborer.....	..	12	1 00	12 00	
Hugh Boylan,	..	1	..	1 00	
Patk Bose	..	6	..	6 00	
Patrick Ball	..	3	..	3 00	
Henry Bushallac	..	3½	..	7 50	
Joseph Carverish	..	22	..	22 00	
John Coolhan	..	11	..	11 00	
Patrick Carroll	..	9½	..	9 50	
Pat'k Carroll, pavor	..	7	1 25	8 75	
Thomas Cusick, laborer.....	..	5	1 00	5 00	
Christian Connors,	..	6	..	6 00	
John Corcoran,	..	5	..	5 00	
Timothy Conlad	..	3	..	3 00	
Uno Cappon, steam roller.....	..	31¼	1 50	46 87	
Francis Carroll, laborer.....	..	8	1 00	8 00	
Laurence Connors	..	5½	..	5 50	
Jeremiah Corrigan	..	2½	..	2 50	
Louis Caspar paver	..	3½	1 50	12 75	
Jas Clancy laborer.....	..	1	1 00	1 00	
Jas Cox	..	2	..	3 50	
Chas Caspar	..	2	..	2 00	
David Donovan	..	14	..	14 00	
Jas Daly	..	19	..	19 00	
Andrew Dietrich	..	23½	..	23 50	
John Dolson	..	2	..	2 00	
John Fox	..	4	..	4 00	
Geo J Farber, foreman.....	..	16	1 50	24 00	
Geo J Franckenberger, laborer	..	15¼	1 00	15 25	
Jos Friedel, foreman.....	..	30	2 00	60 00	
John Ford, laborer.....	..	20½	1 00	20 50	

Jas Farley, sweeper	29½	1 25	36 87
Samuel Fisher, laborer	9	1 00	9 00
Edward Farley	8		8 00
Joseph Farren	1		1 00
Michael Feeney	¾	1 00	75
George Gardner	1		1 00
Nicholas Gersner	2		2 00
John Geib	30		30 00
Jacob Geib	22½		22 50
James Gonnell	13		13 00
Dom'r Gallagher	9		9 00
Ferd Gottschalk	7		7 00
Charles Gay	1		1 00
Fried Holfreder	3		3 00
Charles Horn	4		4 00
George Hensler	1		1 00
Wm J Hanford, foreman	5	1 50	7 50
Patrick Hennessy, laborer	5	1 00	5 00
Wm Hart	2		2 00
Joseph Hubert	5½		5 50
Joseph Hogan	5		5 00
Joseph Harrity	16		16 00
Daniel Harrington	6		6 00
John Krazey	8		8 00
Andrew Keeler	30		30 00
Martin Kilpeck	21		21 00
John Keefe	11		11 00
Adam Keler	8½		8 50
Michael Kelly	3		3 00
J Kavanagh, foreman	11	1 25	12 25
John Knowl, laborer	11	1 00	11 00
Thomas Kanole	2		2 00
John Karwach	12¼		12 25
Jahn Lavis	4		4 00
William Lawrence	8½		8 50
John Leverence, paver	4	1 25	5 00
John McMahon, laborer	16	1 00	17 00
John McCormick	1		1 00
Edward McMahon	1		1 00
Edward McMenomy, mason	27	1 50	40 50
William McIntyre, paver	24	1 25	30 00
James McGuire, laborer	3	1 00	3 00
Patrick McVey	8		8 00
Thomas McNally	4		4 00
Thomas McKenna	3		3 00
William McCarthy	5		5 00
Hugh McGovern	2		2 00
John Mc Nerney	15		15 00
Owen McGrady	6		6 00
Michael Mulqueen	19		19 00
Michael Maley	21		21 00
James H Moore, inspector	3	1 50	4 50
George Miller, laborer	1	1 00	1 00
Philip Neville, carpenter	17	1 50	25 50
Wm O'Brien, laborer	4	1 00	4 00
Terence O'Brien	27½		27 50
Conrad Ott	27¼		27 25
Jacob Oster	10		10 00
Miles O'Donnell	7		7 00
Charles Patzalko	4		4 00
John Pyne	24		24 00
John Pierce	17		17 00
Henry Parks foreman	31½	1 50	47 25
John Paislo laborer	1	1 00	1 00
Mathew Quin	8		8 00
Hugh Quinn	8	1 50	12 00
Dennis Quinlan laborer	10	1 00	10 00
Edward Quinn	1		1 00
Rudolph Raski	10½		10 50
Nicholas Reiter	30		30 00
Jason Root	30		30 00
Peter Reeder carpenter	17½	1 50	26 25
Patrick Ryan laborer	4	1 00	4 00
Charles Ritzgi	8		8 00
James Ryan	3		3 00
Frederick Strewing	4		4 00
Jerry Sullivan	10		10 00
Charles Stenchel	30		30 00
John Sturm	22		22 00
John Stanton	17¾		17 75
John Stechel	6		6 00
Michael Sullivan	12		12 00
Dennis Sheehan fireman street roller	28	1 50	42 00
John Schroth laborer	21	1 00	21 00
Jonn Straub	5¼		5 25
Theodore Strutz paver	8½	1 50	12 75
Martin Schuetz laborer	4	1 00	4 00
Christian Sund	3		3 00
Frederick Tapps	7		7 00
John Tupper	4		4 00
James Taff	1		1 00
Frederick Voitz	1½		1 50
Cornelius Vrooman sweeper	9	1 25	11 25
John White laborer	1	1 00	1 00
Thomas Wray	6½		6 00
Jacob Weber	6		6 00
Samuel Williams paver	8½	1 50	12 75
Peter Weis laborer	4	1 00	4 00
George Yund	3		3 00
Phillip Zuegner	4		4 00
William Kraft toolman	5 ws.	9 00	45 00

Wm J Steinhauer, clerk	5	11 54	57 70
Patrick J Dowling, Superintendent	5	26 92	194 60
Edwin Ames team	25½	3 00	76 50
John Armstrong	25		84 00
A S Allen	1		3 00
Peter Bayer	30		90 00
John Barry	14½		43 50
J. W. Breakey, for sweeper	9	2 00	18 00
George Comons	12¾	3 00	38 25
George Crissey	10		30 00
Henry E. Cram	9		27 00
John Curtin	10		30 00
John Eisenhauer	17		51 00
Joseph Eble	19¼		57 75
Benjamin Fisher	22½		67 50
Peter Harraty	28½		85 50
William Hollis	10		24 75
John Kennedy	10		30 00
Dennis Kelly	5		15 00
James Logan	11¼		39 75
Michael Miller	18¼		39 75
Martin May	9½		28 50
Peter Oliver	10		30 00
John Scobe	8		24 00
Patrick Rossney	18		54 00
John Slattery	23		69 00
John Smith	16		48 00
John Stuppe	27¼		81 75
Louis Schneider	18½		40 50
Ernst Stewring	11		33 00
John Stuefer	1½		4 50
Frank Ward	8½		25 50

Total\$3,131 54

Ordered received, filed and published.

EXECUTIVE BOARD,
OFFICE, CITY HALL, NOV. 1, 1879.

To the Honorable the Common Council:
I have the honor to transmit herewith, as directed by this Board, a copy of a report submitted to this Board at a regular meeting held on Friday, October 31st, ult.

Respectfully, your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of the Executive Board.

REPORTS.

Mr. Kavanagh, to whom was referred the petition for cleaning the bed of the Genesee river, referred to this Board by the Common Council, submitted the following report, which was received, ordered published and a copy directed to be forwarded to the Common Council:

REPORT ON CLEANING BED OF RIVER.

To the Executive Board:
Your Committee to whom was referred the communication from the Common Council in reference to the cleaning out of the river bed from the south line of Main street bridge to the falls, would respectfully report:

That on the 8th day of October, 1878, a report in relation to this matter was made by the then Street Committee, which was received, filed and published.

That report, among other reasons, stated that on account of the lateness of the season, it was deemed inexpedient to commence work, as the probabilities were that the Fall rains would seriously interfere with their labor and render their efforts abortive.

To do the work require it is necessary to commence earlier in the season when more judicious and economical arrangements may be perfected to prosecute the work.

It cannot be overlooked that the labor in removing the stone and debris, from the bed of the river is one of considerable magnitude, the slimy decomposed and decomposing matter which emits in hot weather such offensive effluvia and which is so dangerous to health, acts as a kimp of cement, keeping stone, brick and other deposits firmly in place, so tough and stringy is it, that the Fall and Spring

freshets do not seem to disturb it. It must be picked up and carted away before relief from the sickly miasma which it exhales can be obtained.

To do this work effectively the water should be drawn off, but this will interfere with the manufacturing interests on Brown's race and the race on the east side of the river, unless work is prosecuted during the time repairs are made on those waterways, which usually is done in the latter part of August or the early part of September, when the water is lowest in the river.

Falling in our efforts to have the water drawn off, coffer dams will have to be constructed to facilitate the removal of the offensive matter.

The appropriations made by the Common Council to the Executive Board, were for certain specified purposes, and from which they cannot be diverted.

In asking for the necessary appropriations in May last deeming the cleaning of the river bed a matter of grave necessity, a resolution was adopted by the Executive Board, directing the Clerk to ask for a sufficient sum from the Common Council to do all the work. In compliance therewith he did, on the 3d day of May, send the following communication to that body:

"GENTLEMEN—Inasmuch as the Common Council recommended last season that the bed of the river be cleaned of loose stone and debris the Executive Board takes this occasion to suggest that, if the Common Council purpose recommending any such undertaking this season, it will be necessary to make an appropriation of at least \$3,000 for that purpose.

"[Signed.] THOS. J. NEVILLE, Clerk."

From these considerations your Committee is of opinion that an appropriation to the above amount should be made by the Common Council for the performance of this work, and that in the event of its being made arrangements be perfected to commence work early next season when it can be done better and more economically than at this late and uncertain season.

Respectfully submitted,
FRANCIS P. KAVANAGH.

Dated Oct. 31, 1879.
Ordered received, filed and published.
By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF OCTOBER, 1879.

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing September 1st, to and including Sept. 28th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Donnelly Samuel, corner of Rowe street and Lake avenue.....	\$ 20
Schmitt Elizabeth, cor Maple and Orchard.....	20
Stehle Casimer, 24 North av	20
Smith Thomas, 21 St. Paul st.....	20
Kirby Walter, 135 S. St. Paul st.....	20
Jennings Daniel, 13 West av.....	20
Hall Leo J & Bro, 9 East av.....	50
Stone, Sugru & Wimble, cor W Main and Exchange streets.....	50
O'Brien Michael, 4 Bauer st.....	20
Wagner J Geo, cor Brown and King sts.....	20
Woltz Frank A, 110 Wilder st.....	20
Rausch, Anna, 132 West av.....	20
Meyer, Catharine, 18 Hancock st.....	40
McElrone Bernard, 131 S. St. Paul st.....	30
Mahoney Dennis, 324 State st.....	20

McCrone Dennis, 85 S. St. Paul st	20
Witaschet Maria L, cor Jay and Grape sts.....	20
Schroedel August, 9 Hawkins st.....	20
Richard James, 57 Jay st.....	20
Galvin Patrick, 119 Union st.....	22
Seller Jacob, cor Campbell and Whitney sts.....	20
Conarty Edward, 2 Centre st.....	20
Knapp John O, 151 North av.....	20
Leimgruber Victoria, 127 East Main st.....	20
Mullane David, 101 Allen street.....	20
Bohan Wm, 202 W. Main st.....	20
Stoddard Silas E., 5 Monroe av.....	20
McMahon Michael, 49 E. Main st.....	50
Rausch Anna, 132 West avenue.....	30
Glathar, Fred 290, Brown st.....	20

Total amount received and deposited with City Treasurer.....\$ 742

Dated Rochester, Sept. 29th, 1879.
STATE OF NEW YORK,
County of Monroe, } ss.
City of Rochester, }

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of the city of Rochester, in said County, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the moneys received from October 6th to October 27th, 1879, inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,

Excise Com'rs.
Sworn to before me this 27th day of October, 1879.
PARIS G. CLARK, Commissioner of Deeds.
Ordered received, filed and published.

ROCHESTER, Nov. 4th. 1879.

To the Common Council of the City of Rochester:

GENTLEMEN: An ordinance directing the extensions of the Lake avenue outlet sewer, from Lake avenue to the Genesee river, was unanimously adopted at a regular meeting of your Board held August 12, 1879. On applying to the court for the appointment of Commissioners to assess the damages arising from passing through and across private property, the court held that the ordinance was defective. I have thereupon thought proper, in view of the seeming necessity for the improvement, to present another ordinance for the same.

Respectfully,
OSCAR H. PEACOCK, city surveyor.
Ald. Otis moved that the ordinance for Lake av. outlet sewer be repealed. Adopted.

EXTENDING LAKE AVENUE OUTLET SEWER.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of extending Lake avenue outlet sewer, from Lake avenue to the Genesee river, through Deep Hollow ravine.

Adopted.
The Surveyor submitted as such estimate \$15,000.
By Ald. Edelman—Resolved, That the following improvement is expedient, viz:

The extension of the Lake avenue outlet sewer from the centre of Lake avenue to the brink of Deep Hollow in the Genesee river, the sewer as extended to be constructed of stone 32 1/2 feet in size, iron pipe 36 inches in diameter, and tunnel 6x6 feet in size, and the route to be through Deep Hollow ravine and in the vicinity thereof, according to the following courses and distances: Commencing at a point on the east curb line of Lake avenue and over the centre of Deep Hollow culvert; thence S. 83 degs. 15 min. E. 106.40 feet; thence S. 51 degs. 54 min. E. 139.60 feet; thence S. 86 degs. 24 min. E. 221.70 feet; thence N. 66 degs 50 min. E. 151.50 feet; thence N. 76 degs. 26 min. E. 121.50 feet; thence N. 67 degs. 37 min. E. 154.20 feet; thence N. 41 degs. 56 min. E. 93 feet to the brink of the high falls, reference for exact line of location and grade and location of the various sizes being had to a map and profile of the same accompanying this ordinance; and certain lands belonging to J. Kay, May Marso, Ellwanger, Barry & Woodworth, C. J. Hayden and others are deemed necessary to be taken for the proposed improvement.

And Whereas, The City Surveyor, under the direction of this Council, 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 benefited and proper to be assessed for the whole expense thereof, viz:

All the territory described by, and enclosed within, the following boundary lines, viz.:

Beginning at the intersection of the east line of Lake avenue with the north line of McCracken street; thence northerly along Lake avenue, and including one tier of lots on the east side thereof, to the top of the hill, near the Sweeting property; thence southerly along Lake avenue and including one tier of lots on the west side thereof to Lake View Park; thence westerly along Lake View Park and including one tier of lots on the north side thereof to the westerly extremity of said park; thence westerly on the north line of said park produced, to the street at the east end of the Driving Park grounds; thence southerly along said street and including a strip of land 100 feet wide on the west side thereof to McCracken street; thence westerly along McCracken street and including a strip of land 100 feet wide on the north side thereof to the city line; thence southerly along the city line to the northerly line of the Erie canal lands; thence southeasterly along the northerly and easterly line of the Erie canal lands to a point opposite the south line of Lorimer street; thence easterly to and along Lorimer street and including one tier of lots on the south side thereof to Frank street; thence southerly along Frank street and including one tier of lots on the west side thereof to Jones avenue; thence easterly along Jones avenue and including so many of the lots on the south side thereof as front on Jones avenue to Lake avenue; thence northerly along Lake avenue and including one tier of lots on the east side thereof, from Ambrose street, to the place of beginning, excepting therefrom the banks of Deep Hollow creek.

And further resolved, That the tax payers to be assessed for making such improvement may pay their assessments in three equal payments as follows: One fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of said roll; one-fifth of the amount within two years from the confirmation of said roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of title vii, section 165 of the revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Dec. 7th, 1879, half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2,489.

LIME STREET PLANK WALK.

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

After hearing such allegation from all persons appearing.

Ald. Wickens submitted the following:

An ordinance to construct a plank walk four feet wide on the north side of Lime street from Child st. to Whitney st.

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

The construction of a plank walk four feet wide on the north side of Lime street from Child street to Whitney street.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of lands to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$128. 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 Lime street from Child street to Whitney street.

On which above described portion of the City the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Nov. 3d, 1879. }

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,489, for Champlain street plank walk, has been completed.

The amount to be assessed upon the property bene-

fited, including any interest that the city shall incur, or is entitled to for the use of its funds, is \$70.09.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2032.

CHAMPLAIN STREET PLANK WALK.

Whereas, The Common Council did, upon the 26th day of August, 1879, enact an ordinance for Champlain street plank walk:

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$70.09, including such interest as the city has paid or become liable for.

And the part of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the north side of Champlain street from Reynolds street to Seward street.

Therefore, Resolved, That the sum of \$70.09, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 23d day of November, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

CITY TREASURER'S OFFICE,
ROCHESTER, Oct. 20, 1879. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,075, for Favor street sewer, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$1,113.04.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,067.

FAVOR STREET SEWER.

Whereas, The Common Council did upon the 22d day of April, 1879, enact an ordinance for Favor street sewer.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$1,113.04, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Favor street from Spring street to West avenue, excepting the lots on the northeast and northwest corners of Spring and Favor street.

Therefore, Resolved, That the sum of \$1,113.04, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 22d day of Nov., 1879, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Otis moved that the local improvement assessment for Plymouth Park flagwalk lie on table until the next meeting. Adopted.

EXECUTIVE BUSINESS.

Ald. Warren moved that the Board proceed to ballot for Commissioners of Deeds, and moved that the Clerk cast the ballot. Adopted.

The following named persons having received the requisite number of votes were declared duly elected: John E. Robson, David Hays, Francis Hone, Edward Englehart, Henry Kleindurst, Edward J. McPhail, Wm. N. Coggswell, Geo. Heberling, John Lynde.

By Ald. Otis—

OFFICE OF THE ROCHESTER AND STATE LINE
RAILWAY COMPANY, October 27, 1879.

NOTICE IS HEREBY GIVEN—That the Annual Meeting of the Stockholders of this Company for the Election of Directors of said Company, and three Inspectors of Election, will be held at Room 47 in the Grand Central Depot in the city of New York, on SATURDAY, the 29th day of November, 1879. Polls will open at 11 o'clock A. M. and remain open for one hour.

D. MCNAUGHTON,
Secretary and Treasurer.

Ald. Otis moved that the Board proceed to to ballot for two directors of the State Line Railroad.

Ald. Hart moved that the matter be postponed, subject to a call for a special meeting from his Honor, the Mayor.

Ald. Tracy moved that the matter lie on the table until later in the evening. Adopted.

By Ald. Hart—Resolved, That the Executive Board be requested to place a crosswalk on North avenue, near Jennings street. Adopted.

By Ald. Hart—Resolved, That the Lamp Committee be requested to place lamps on Conkey avenue. Adopted.

By Ald. Hart—Resolved, That the Clerk is hereby directed to draw an order on the treasury for \$33.48 in favor of B. Frank Enos, Clerk of the Police Commissioners, it being for expenses incurred by him in the months of Aug. Sept. and Oct., 1879, under direction of the Police Commissioners, and in accordance with bills presented by him, and charge the Police Fund. Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Knobles, Hart—9.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

By Ald. Weaver—Resolved, That a market license be granted John A. Geiger to July 1st, 1880, No. 76 North avenue, on his paying into the treasury the sum of one dollar. Adopted.

By Ald. Chace—Petition of A. D. Scott for petition to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Wickens—Resolved, That the Citizens Gas Co. be requested to lay their gas mains in Munger street. Adopted.

By Ald. Wickens—Petition of residents of South avenue to have gas lights substituted for naphtha light in the public lamps in that avenue.

By Ald. Wickens—Resolved, That the burning of naphtha in lamps on South avenue be discontinued and gas substituted. Adopted.

Ald. Hebing moved a reconsideration of the vote adopting this resolution. Adopted.

Ald. Edelman moved that it be referred to the Lamp Committee. Adopted.

By Ald. Vay—Resolved, That the Lamp Committee place a public gas lamp on East Maple street, between King and Madison streets; also, one gas lamp on said East Maple street between Madison and North Francis street; also that a gas lamp be placed on King street crossing in place of the naphtha lamp, which does not produced the required light necessary for the safety of the public.

Ald. Edelman moved its reference to the regular Lamp Committee.

Lost by the following vote:

Ayes—Ald. Tracy, Otis, Warren, Mandeville, Wickens, Edelman, Weaver—7.

Nays—Ald. FitzSimons, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Knobles, Hart—9.

Ald. Warren moved that it be referred to the Special Lamp Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Vay, Wickens, Weaver—9.

Nays—Ald. Crouch, Chambers, Chace, Mandeville, Edelman, Knobles, Hart—7.

Ald. Mandeville called up the proposition made at the last meeting by Martin W. Cooke, attorney for James and Florence Hair, in the matter of opening a street through their property.

Appeals from the report of the Commissioners were then heard.

Ald. Mandeville offered the following:

By Ald. Mandeville—Resolved, That the Mayor be and he hereby is requested to execute under the advice and approval of the City Attorney, on behalf of the city, to the owners of the property to be taken for the opening of a street through the Hair property, a release or right to use and occupy that portion of East Main street lying opposite their property between the abutments of the wall to the approaches of the bridge over the N. Y. C. & H. R. RR. on said street, reserving the right to the city at any time when it may become necessary to reserve the use and occupation of said premises for street purposes. Adopted.

Ald. Mandeville moved that the report of the commissioners for the opening of a street through the Hair property be confirmed, and it was confirmed by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—14.

FIRST ORDINANCES.

GRADING THE STREET THROUGH THE HAIR PROPERTY.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of grading the street through the Hair property.

Adopted.

The Surveyor submitted as such estimate, \$550.

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

The grading of the street through the Hair property. And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$550, 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, viz:

One tier of lots on each side of East Main street, from Franklin street to the N. Y. C. & H. R. RR. Co.'s property; also, the territory enclosed within the following described boundary lines:—Commencing at the intersection of East Main street and Goodman street, thence northerly on Goodman street and including one tier of lots on the west side thereof to Bay street, also the lot on the northwest corner of Bay street and Goodman street, thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line, thence southerly along the city line to the northerly line of the N. Y. C. & H. R. RR. Co.'s property, thence westerly along the northerly line of the N. Y. C. & H. R. RR. Co.'s property to Goodman street, thence northerly on Goodman street to the place of beginning; also the property lying on the southerly side of the proposed street, known as the Wamsley property; also the lands through which it is proposed to grade the new street, known as the Hair property.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised

Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 2d, 1879, at half-past 7 o'clock, at the Common Council Chamber, when all objections will be heard.

Adopted.
By Ald. Chambers—Resolved. That the Clerk draw an order on the Treasurer in favor of the chairman of the Board of Inspectors of Election (including clerks) of each election district for the sum of seventy-five dollars, in full of services for general election, 1879. Also an order in favor of each proprietor (except the city of Rochester) of places used as election polls, for the sum of thirty dollars; also an order in favor of Wm. Coughlin for \$15 for 2d Ward polls and Engine Co. No. 1 for same amount, and the Treasurer is requested to pay the same and charge Contingent Fund, provided no objection is made by any inspector or clerk in drawing the order in favor of the chairman of the Board. Objections being made, the Clerk is directed to draw an order in favor of each claimant for his individual compensation, retaining from the same proper charges against such inspectors.

Adopted by the following vote:
Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—14.

By Ald. Chambers—Resolved, That orders be drawn on the Treasurer in favor of Richard Messenger, Gertrude Mills, Charles Ashton, Jesse Rucker and J. J. Seeley, for four dollars each, it being refund of license fee paid by them as hackmen.

Adopted by the following vote:
Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

By Ald. Hebing—Bill of
H. Duffield..... \$103 20

Referred to the Finance Committee for payment.

By Ald. Warren—Whereas, Lots No. 192, 193, 194 and of the 100 Acre Tract, West Main street, First Ward, were assessed for the General City Tax for the year 1879 under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Nov. 3d, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$197.09, with expenses and interest, in pursuance of said certificate.
Adopted.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., Nov. 3d, 1879. }

George D. Williams, Treasurer:
SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to Joseph A. Eastman, viz: Lots No. 192 and pt. 193, 100-Acre Tract, south side of West Main street, First Ward, 89 feet front, 89 feet rear, and 140 feet deep, and that the owner of said property should pay as his portion of the General City Tax for the year 1879 the sum of \$197.09, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., Nov. 10, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Alderman Warren—Whereas, Lots No. 192, 193, 194, 241 and northeast part 242 of the Hundred acre tract, West Main street, First ward, was assessed for

the General city tax for 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors dated November 3, 1879, and on file in the Treasurer's office, a copy of which is attached here to, be released from the lien of such tax upon the payment of \$209.26, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., Nov. 3, 1879. }

Geo. D. Williams, Treasurer:
SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880, to Joseph A. Eastman, viz:

Lot No. 192 and part 193 Hundred acre tract, south side of West Main street, First Ward, 89 feet front, 89 feet rear, and 140 feet deep,

And that the owner of said property should pay as his portion of the General city tax for 1878, the sum of \$209.26, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE, }
ROCHESTER, N. Y., Nov. 10, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos 192, 193, 194 and 241 of the 100 acre Tract, W. Main street, First Ward, assessed for E. and W. Main street sprinkling 1980, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Nov. 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$9.62, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., Nov. 17th, 1879. }

Geo. D. Williams, Treasurer:
SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property was assessed upon the assessment rolls for the general city tax for the year 1879, to Thos. C. Montgomery, viz:

Lot No. 241 W. pt. and 242 E. pt. 100 Tract, south side Main street, First Ward, 55 feet front, 55 feet rear, and 98 feet deep, and that the owner of said property should pay his portion of sprinkling E. and W. Main street, No. 1980, the sum of \$9.62, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., Nov. 17th, 1879. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Whereas, Lots Nos. 192, 193, 194 and 241 of the 100 acre tract, Main street, First Ward, were assessed for East and West Main street sprinkling 1,980, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated November 17, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$5.60, with expenses and interest, in pursuance of said certificate.
Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE, }
ROCHESTER, N. Y., Nov. 17, 1879. }

George D. Williams, Treasurer:
SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to John H. Martindale, viz:

Lot No. 241, West Main street, part 100 acre tract, South side of West Main street, First Ward, 20 feet front, 20 feet rear, and 30 feet deep and that the owner of said property should pay as his portion of sprinkling East and West Main street, No. 1,980, the sum of \$5.60, upon the payment of which, with ex-

penses and interest, will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Nov. 17th, 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194, and 241 of the 100 acre tract, W. Main street, 1st Ward, was assessed for E. and W. Main st. sprinkling No. 1,190, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Nov. 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$15.23, with expenses and interest in pursuance of said certificate.
Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Nov. 17, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to the Monroe Co. Savings Bank, viz:

Lot No. w. p. 193, 194 and pt. 241, 100 Acre Tract, south side W. Main street, First Ward, 88 feet front, 108 feet rear, and 120 feet deep, and that the owner of said property should pay as their portion of sprinkling E. and W. Main st. No. 1,990 the sum of \$15.23, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Nov. 17, 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lot No. 199, 191 241 of the 100 acre Tract, West Main street, 7th ward, were assessed for East and West Main street sprinkling—No. 1,990—under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated November 27th 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$15.42 with expenses and interest, in pursuance of said certificate.
Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Nov. 17, 1879. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Jos. A. Eastman, viz: Lot No. 190 and east part of 193, of the 100 acre Tract, South side of West Main street, 1st ward, 89 feet front, 89 feet rear, and 140 feet deep, and that the owner of said property should pay as his portion of Sprinkling East and West street—No. 1,991—the sum of \$15.42, upon payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Nov. 17th 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer

By Ald. Warren—Whereas, Lots No. 192, 193, 194 and 241 of the 100 acre Tract, W. Main street, First Ward, was assessed for West Main street repairs, No. 1,970 under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Nov. 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$12.65, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., November 17th, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do

46

hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Jos. Eastman, viz:

Lots No. 192, and e pt 193, 100 acre tract, south side of West Main street, First Ward, 89 feet front, 89 feet rear, and 140 feet deep, and that the owner of said property should pay as his portion of West Main street repairs, No. 1,970, the sum of \$12.65 upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Nov. 17th, 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, and 241, of the 100 Acre Tract, West Main street, First Ward, are assessed for West Main street repairs No. 1,970, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated November 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$12.47, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Nov. 17th, 1879. }

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880, to the Monroe Co. Savings Bank, viz:

Lot W. pt. 193, 194, and pt. 241, 100 Acre Tract, south side of W. Main street, First Ward, 88 feet front, 108 feet rear, and 125 feet deep, and the owners of said property should pay as their portion of West Main street repairs No. 1970 the sum of \$12.47, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Nov. 17, 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194 and 241 of the 100 Acre Tract, West Main st, First ward, were assessed for West Main street Repairs No. 1,970, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Nov. 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$2.90, with expenses and interest, in pursuance of said certificate.
Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Nov. 17th, 1879. }

George D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to John H. Martindale, viz:

Lot No. 241 w n part 100 Acre Tract, south side of West Main street, First ward, 20 feet front, 30 feet rear, and 30 feet deep, and that the owner of said property should pay as his portion of West Main street Repairs No. 1,970 the sum of \$2.90, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Nov. 17th, 1879.
(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos. 92, 193, 194 and 241, of the 100 Acre Tract, West Main street, First Ward, are assessed for West Main street repairs, No. 1,970, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certifi-

cate from the Assessors, dated Nov. 17th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$7.36 with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Nov. 17th, 1879. }

Geo. D. Williams, City Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Thos. C. Montgomery, trustee, viz.: Lots Nos. 241 w pt, and 242 e pt, 100 Acre Tract, south side of West Main street, First Ward, 55 feet front, 55 feet rear and 98 feet deep, and that the owner of said property should pay as his portion of West Main street repairs No. 1,370 the sum of \$7.86, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Nov. 17th, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.

Ald. Otis moved that the special committee on State Line Railroad Co. get the opinion of the counsel employed in the case as to whether it would be proper and advisable to elect directors on the part of the city, and in case it is thought advisable, that the Mayor be requested to call a special meeting for the purpose. Carried.

Ald. Westbury moved that Peter Craig be heard in the matter of a fine imposed upon him in the Police Court. Adopted, and Mr. Craig was heard.

By Ald. Westbury—Resolved, That the Clerk draw an order in favor of Peter Craig for ten dollars, being for refund of a fine imposed upon him by the Police Court, and charge Police Fund.

Adopted by the following vote:

Ayes—Ald. Fitzsimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—14.

By Ald. Westbury—Resolved, That the Committee on Charter Amendments and Rules be and they are hereby authorized to employ such assistance as they may deem necessary for the best interests of the city to assist the City Attorney in revising the City Charter and penal ordinances of the city of Rochester. Adopted.

By Ald. Westbury—Resolved, That the Police Commissioners of the city of Rochester are hereby authorized to appoint a special policeman to attend the November term of the County Court and Court of Sessions, to be detailed thereto by the Chief of Police, in accordance with chapter 415 of the laws of 1878, such policeman to receive pay therefor from Monroe county, and in no event to have or receive any pay from or claim any fees against the city of Rochester. Adopted.

By Ald. FitzSimons—Resolved, That the city's interest in the following tax sale be assigned to Rebecca Borradaile upon her paying the amount of the same, with interest and expenses, into the Treasury: Lots 2 to 9, inclusive, Campbell's subdivision, Myrtle street, Fifteenth Ward, sold for general city taxes 1878.

By Ald. FitzSimons—Resolved, That the city's interest in the following tax sale be assigned to Michael Brayer upon his paying the

amount of same with interest and expenses into the treasury.

Lots 85, 84 Wilder tract, Orchard street, 11th Ward, sold for general city tax 1878.

Both resolutions were adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Tracy—Resolved, That Chas. Arden have permission to sell fresh meat at 164 State street until July 1, 1880, on his paying into the city treasury the sum of one dollar. Adopted.

By Ald. Tracy—Resolved, That a market license be granted Charles Davenport to sell fresh meat at 36 Front street to July 1st, 1880, on his paying into the treasury the sum of one dollar. Adopted.

By Ald. Tracy—Resolved, That the Clerk draw an order on the City Treasurer in favor of John Ralph for twenty-three dollars for labor performed on the public parks for the month of August and charge Park Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Wickens, Edelman, Weaver, Knobles, Hart—14.

By Ald. Knobles—The Committee on Opening and Alteration of Streets, would report in favor of the extension of Center street.

J. W. KNOBLES,

J. J. HART,

D. G. WEAVER,

Committee.

Adopted.

Ald. Knobles moved that the Surveyor bring in an ordinance for the extension of Center street. Adopted.

On motion of Ald. Hebing, the Board then adjourned.

EDWARD ANGEVINE,
City Clerk.

In Common Council, Nov. 26th, 1879

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent—Ald. Otis—1.

MAYOR'S OFFICE,
ROCHESTER, Sept. 18, 1879. }

Edward Angevine, City Clerk:

Please call a special meeting of the Common Council at the Council Chamber for Wednesday afternoon, Nov. 26, at 3 o'clock.

Subject—Election of Directors of the State Line Railway on the part of the city.

CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

Ald. Hebing presented the following:

ROCHESTER, Nov. 20th, 1879.

GENTLEMEN: The question of the election of two Directors of the Rochester and State Line Railway Company by the Common Council of the city of Rochester, has been submitted to me.

The only statute passed on the subject is

found in chapter 84 of the laws of 1876, wherein it is enacted that the railway company is authorized to amend its articles of association, and to provide that until the proceeds and avails of the railway mortgage bonds then held by the city should be applied to the payment of the principal and interest of the city bonds, issued to and in the construction of the railway, the Common Council might elect two of the Directors of said railway company, who need not be stockholders thereof.

I cannot ascertain that the railway company ever amended its articles of association to provide for such election of Directors, but have received information from the attorney of the railway company who prepared amended articles, that provision for such election was omitted.

At the same time it is obvious that the design of the statute was to give the city a representation by two Directors in the Board of Directors until the debt incurred by the city in aid of the railway was extinguished, and I understand that hitherto the statute has received practical construction in the election of such two Directors.

The pending actions in the courts wherein the city is plaintiff and the railway company is a defendant cannot be unfavorably affected by such election.

Very respectfully, etc.,

[Copy] J. H. MARTINDALE.

To Messrs. Hebing, Barry, Booth and Powers, Special Committee.

Ordered received, filed and published.

Ald. Hart moved to proceed to ballot for two Directors in behalf of the city in the Rochester & State Line Railway Company, the balloting to be for one at a time. Adopted.

Ald. FitzSimons nominated Lewis P. Ross.

Ald. Hart nominated the present incumbents Emory B. Chase, and George Fleckenstein.

FIRST BALLOT.

Emory B. Chase received 8 votes.
Lewis P. Ross 6 ..
No choice.

SECOND BALLOT.

Emory B. Chase received 8 votes.
Lewis P. Ross 6 ..

THIRD BALLOT.

Emory B. Chase received 7 votes.
Lewis P. Ross 7 ..

FOURTH BALLOT.

Emory B. Chase received 8 votes.
Lewis P. Ross 6 ..

Ald. Tracy moved a reconsideration of the vote adopting the resolution of Ald. Hart to vote for one director at a time. Lost by the following vote:

Ayes—Ald. Tracy, Crouch, Chambers, Chase, Edelman, Knobles, Hart—7.

Nays—Ald. FitzSimons, Westbury, Warren, Hebing, Mandeville, Wickens, Weaver—7.

Ald. Hebing moved to adjourn.

Lost by the following vote:

Ayes—Ald. FitzSimons, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—7.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chase, Edelman, Knobles, Hart—8.

FIFTH BALLOT.

Emory B. Chase received 8 votes
Lewis P. Ross 7 "

SIXTH BALLOT.

Emory B. Cchace received 9 votes
Lewis P. Ross 6 "

Emory B. Cchace having received the requisite number of votes was declared elected.

Ald. Mandeville in the chair.

Ald. Hebing nominated Frederick Cook.

Ald. Crouch nominated George Fleckenstein.

FIRST BALLOT.

George Fleckenstein received 8 votes
Lewis P. Ross 2 "

Ald. Weaver 2 "
L. M. Otis 2 "
Frederick Cook 1 "

Ald. Weaver declined being considered a candidate.

SECOND BALLOT.

George Fleckenstein received 9 votes
L. M. Otis 5 "
Frederick Cook 1 "

George Fleckenstein, having received the requisite number of votes, was declared elected Director.

Ald. Hebing moved to adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Dec. 2, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Otis moved that the minutes of the last meeting be amended by inserting in the report of Committee on Excise, relative to the salary of the Excise Commissioners, the word "petition" instead of "resolution." Adopted.

The minutes, as amended, were then approved.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bills of

Chas. H. Jeffords, lighting and care of kerosene lamps \$713 40
Howe & Snyder, lamp tops 45 46

Referred to Lamp Committee.

By Ald. Westbury—Petition of Robert Morgan for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Chambers—Petition of John H. Jeffries for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Chambers—Bills of

W. I. Hanford, serving notices \$ 8 02
J. Corbin, 32 90
N. T. Hackstaff, printing 42 50
E. A. Frost, services to city 15 88

Referred to Contingent Expense Committee.

By Ald. Mandeville—Bills of

Blakely, King & Carey, rep. radiators \$ 5 60
Cutting & Cooney, side wrench 3 00
E. Emerich, repairing city clock 79 75
How- & Snyder, plumbing 14 21

Referred to City Property Committee.

By Ald. Wickens—Petition of John Wheaton for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Weaver—Bills of

Citizens' Gas Co., rearranging lamps.....	\$ 158 40
Gilbert, Brady & Co., paving.....	83 70
.....	108 61

Referred to Special Committee on Rearranging Lamps.

By Ald. Edelman—Petition for plank walk on Sullivan street. Referred to Improvement Committee.

By Ald. Hart—Bills of

Alex. McLean, disbursements for October.....	\$ 83 59
..... November.....	85 73

Referred to Police Committee.

By Ald. Hart—Bills of

H. Brewster & Co., sugar.....	\$ 138 69
Smith, Perkins & Co., groceries.....	28 80
A. H. Cork.....	15 00
C. E. Woodward.....	8 00
Watters & Co.,.....	3 00
S. J. Wagner, delivering coal and wood.....	609 50
Geo. Schofield, transportation.....	5 54
Hoffman & Mayer, burials.....	31 50
W. & J. Alkenhead, soap.....	273 75
Louis Boss, bread.....	230 45
G. Mannell, drugs.....	7 95

Referred to Poor Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy from the Lamp Committee, Ald. Crouch from the Poor Committee, Ald. Chambers from the Contingent Expense Committee, Ald. Mandeville from the City Property Committee, Ald. Weaver from the Special Committee on Rearranging Lamps, Ald. Hart from the Police Committee, reported in favor of the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., Dec. 2, 1870.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable, CONTINGENT FUND.

MONTHLY PAY ROLL FOR NOVEMBER, 1870.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	150 00
David McKay, City Assessor.....	150 00
August M. Koeth,.....	150 00
Wm. Mahar.....	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Duell.....	150 00
M. H. McMath, Clerk.....	137 50
Francis J. Irwin, City Messenger.....	60 00
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building..	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. B. Parsons, Draughtsman.....	40 00
W. J. Stewart, Chairman.....	40 00
Amrose Redman, Rodman.....	30 00
Peter Sheridan, Assistant in Clerk's Office.....	58 34
E. W. Williams, Treasurer's Office.....	116 66
Warham Whitney, services in.....	62 56
Rochester Star, printing notices Dec. 1.....	25 00
Jos. E. Ludlam, stenographer W. W. suits..	10 00
A. Waldert, tape measures.....	31 00
A. K. Tower, stationery.....	53 93
E. B. Andrews,.....	6 25
S. H. Oviatt, expenses in suit Raines vs. City.	5 25
W. I. Hanford, serving notices.....	3 00
James Kavanagh, hack hire.....	3 00
M. Heavey,.....	3 00
E. Angevine, postage cards, oil, telegraphing, &c.....	30 00
J. L. Angle, opinion on elevated tracks.....	150 00
Wm. F. Duffield, copying minutes Smith vs. City.....	103 20

And charge that Fund,

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO DEC. 1ST, 1870.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Fred. Guac, cle.k poor store.....	20 00
Dr. Thomas A. O'Hare, City Physician.....	41 67

Dr. Charles E. McKelvey.....	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Rockwell.....	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. Nov.....	41 67
Porter W. Taylor.....	41 67
Edward E. Bausch.....	41 67
Paris G. Clark.....	41 67
A. Bauerschmidt, meat.....	75 00
S. Wheeler, rent.....	10 00
J. Griffen, shoes.....	4 50
John Hart, shoes.....	409 80
Express Printing Co., printing notices.....	6 00
C. E. Woodward, groceries.....	8 00
Adam Zimmer, meat.....	200 00
Louis Boss, bread and crackers.....	\$ 216 06
Geo. Schoefield, transportation.....	32 99
Adam Vogel, meat.....	50 00
Bulkley & Co., groceries.....	15 00
Ehrhart & Co., meat.....	100 00
Bostwick & Hall, order book.....	16 00
J. H. Butts, transportation.....	14 90
A. H. Cork, groceries.....	15 00
Zegewitz & Fisher, meat.....	100 00
John Hahn, meat.....	125 00
Jaspar Fromm, meat.....	25 00
Joseph Schutte, disbursements.....	76 52
M. W. Hudge, burials.....	121 00
John E. Watters, rent.....	11 25
John P. Smith, printing.....	5 00
Reinhart & Kohler, meat.....	50 00
L. A. Wheeler, meat.....	100 00
Williamson & Higbie, stationery.....	5 55
Brewster, Gordon & Co., groceries.....	50 69
M. W. Hudge, transportation.....	30 00
And charge that fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO DEC. 1, 1870.

Sam'l Donnelly, Supt. Board Health, salary..	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
Henry M. Heindol, Keeper of Hope Hospital..	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
John Christie, Insp'r.....	50 00
Orrin Harris, Insp'r.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Dec. 1, 1870.	125 00
E. S. Jeffords, garbage contract to Dec. 1, 1870.	150 00
Bradley & Co., garbage contractor to Dec. 1, 1870.	150 00
John O'Rourke, board of horse for months of September and October.....	36 00

And charge that fund.

LAMP DEPARTMENT FUND.

National Gas Light Co., care of lamps for Nov.	\$561 00
Charles A. Jeffords, resetting lamp posts.....	15 00
Goodale & Pells, lamp tips.....	21 00
Citizens' Gas Co., care of lamps for November	2,264 36
Rochester.....	1,686 67
Citizens' Gas Company, rearranging lamps....	194 77
Rochester Gas Company,.....	207 40
Citizens' Gas Company, removing lamp posts.	284 47

And charge that fund.

CITY PROPERTY FUND.

Rochester Gas Co., gas for City Hall and Front street building for October.....	\$105 60
Rochester Gas Co., gas for City Hall and Front street building for July.....	69 80
Henry Goetzman, ice in City Hall.....	22 00
A. Schiffer, book case.....	40 00
Cutting & Cooney, making wrench.....	2 00
R. H. Quinn, work on City Building.....	4 75
D. Earl, labor.....	45 50
F. J. Irwin, monthly cleaning.....	83 60
S. R. Woodruff, brooms, &c.....	1 15

And charge that Fund.

PARK DEPARTMENT FUND.

H. Brewster & Co., grass seed.....	\$1 88
Whitmore, Rauber & Co., material and labor.	54 19
Dan. Goulding, labor.....	17 00

And charge that Fund.

POLICE DEPARTMENT FUND.

George Truesdale, Police Justice, salary to December 1st, 1870.....	\$166 66
S. A. Pierce, M. D., medical services.....	37 00
C. E. Morris & Co., stationery, etc.....	33 80
Mensing & Strecker, letter heads.....	6 00
M. Briggs & Son, repairing iron door.....	7 00
Artillery Band, music inspection day.....	50 00

And charge that fund.

POLICE PAY ROLL FOR NOVEMBER, 1870.

Alex. McLean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00

W. J. Rogers	75 00
Thos. Lynch	75 00
Peter Lauer, Jr.	75 00
P. C. Kavanaugh	75 00
Perry Marzluft	75 00
Thos. A. Burchell	75 00
Caleb Pierce	75 00
Henry Baker	75 00
Jos. P. Cleary	75 00
Frank B. Allen	65 00
W. R. M'Arthur	65 00
John J. Garrett, 27 days	58 59
Jacob Frank	65 00
John C. Haydon	65 00
John Wangman	65 00
Hugh Johnston	65 00
John H. Dana	65 00
Ed. Van Vorst	65 00
Hugh Clark	65 00
John C. M'Quatters	65 00
Wm. H. White, 29 days	62 93
Thos. F. Hurley, 18 days	39 06
Patrick H. Sullivan	102 00
Chas. M' Cormick	75 00
Jos. S. Roworth	75 00
Wm. F. Lush	65 00
Barth. Crowley	65 00
Robt. Burns	65 00
Ralph Bendon	65 00
Jacob Harter	65 00
Thos. Crouch, 25 days	54 25
Andrew Connolly	65 00
Wm. P. O'Neil	65 00
Benj. C. Further	65 00
Wm. H. Keith	65 00
John B. Wordell, 29 days	62 93
B. Horcheler, 29 days	62 93
John Mitchell	65 00
Robt. M'Kee, 29 days	62 93
Chas. E. Fowier	65 00
Michael Brady	65 00
Wm. M'Keever	65 00
Joseph Legler, 24 days	62 08
Wm. H. DeWitt	65 00
Nicholas J. Loos	65 00
Fred. Griebel, 29 days	62 93
Robert Sloan	65 00
Samuel Schwartz	65 00
Jas. A. Johnson	65 00
Thos. Dukelow	65 00
Patk. Hoctor	65 00
George Smitn, 28 days	60 76
Lewis Jesserer	65 00
Frank Value, 29 days	62 93
Michael Cain	65 00
Wm. B. Burgess	65 00
Michael Hynes	65 00
Chas. Hart	65 00
Frank D. Fay	65 00
Geo. Hoffner	65 00
James P. Flynn	65 00
John Monahan	65 00
John P. Davis	65 00
Henry D. Shove, 29 days	62 93
Michael Wolf, Jr.	65 00
John M. Reis	65 00
Charles W. Peart	65 00
Wm. Laragy	65 00
Louis No'dt	65 00
Jerry Twaig	65 00
Ed. McDonough	65 00
Older Oliver, 29 days	62 93
John Dean	65 00
Jos. St. Hellens	65 00
Peter Hess	65 00
Daniel Goulding	65 00
Patrick Holloran	65 00
Henry Graven	65 00
Chas. Stefferd, 29 days	62 00
Frank Skuse	65 00
Mich. Hyland	65 00
Jacob Markey	65 00
B. Frank Enos, Clerk of Commissioners	116 67
Examined and approved.	

C. R. PARSONS,
FRED'K ZIMMER,
JACOB HOWE, JR.,
Commissioner.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—14.

To the Common Council:

Your Assessment Committee after an examination of the petition of Lois Hanley for remission of tax, report the following:

Resolved, That the Treasurer receive from Lois Hanley the amount of the taxes for the years 1876, 1877 and 1878, assessed

against the property of Mrs. L. Jordan, deceased, with interest at 7 per cent.

E. K. WARREN,
GEO. CHAMBERS,
J. W. KNOBLES,
Committee.

Adopted.
By Ald. Knobles—Resolved, That Murray and Fulton and S. G. Hollister have permission to erect wood buildings in accordance with their several petitions under the direction of Wood Building Committee and Fire Marshal.
Adopted.

Ald. Tracy in the Chair.

By the Clerk—

MAYOR'S OFFICE,
ROCHESTER, Nov. 25, 1879. }

Gentlemen of the Common Council:

I return to you without my approval the resolution adopted at your last regular meeting, authorizing a refund of \$10.00 to Peter Craig, that being the amount of a fine imposed on him in the Police Court, on a conviction had for assault and battery. My views in regard to the illegality of your action in this case are similar to those which I have before expressed on like occasions. In this connection I call your attention to a portion of the language in an opinion written by J. B. Perkins, when City Attorney, which reads as follows: "But any criminal proceeding is one prosecuted for an offense against the people of the State, and in their name; the Common Council of the city cannot pardon such an offense. If a man is imprisoned by a judgment of the Police Court, the Common Council cannot release him; it cannot remit the penalty in any way. To pay back the money to the person fined is therefore equivalent to a gift, and the Common Council has certainly no authority to give away the city's money."

I am in full accord with these sentiments and therefore veto the resolution.

CORNELIUS R. PARSONS, Mayor.

The President stated the question to be, shall the resolution of the Board stand, notwithstanding the objections of the Mayor. The veto of the Mayor was sustained by the following vote:

Ayes—Ald. Warren, Mandeville, Hart—3.
Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Chambers, Wickens, Edelman, Weaver, Knobles—10.

By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, Dec. 2d, 1879.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 2d day of December, 1879, as required by section 59 of the City Charter:

	Credit Balances.
Contingent Fund	\$32,423 28
Police Fund	15,246 73
Lamp Fund	19,704 24
Poor Fund	14,517 30
Park Fund	127 36
Board of Health Fund	2,784 89
Home for Truants Fund	9 10
City Property Fund	3,089 90
Search Department Fund	691 15

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 2d day of December, 1879.

PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published

By the Clerk—

CITY TREASURER'S OFFICE,
ROCHESTER, Nov. 30, 1879.

To the Honorable Common Council:

GENTLEMEN: Under ordinance No. 2,080 walks were constructed through Plymouth Park at a cost of \$280.91, the territory to be assessed being nearly the whole 3d Ward. There are 986 taxpayers in the territory, and if equally assessed they would pay less than 3 cents each. Now, if assessed according to benefits those in the immediate vicinity would pay much more, and the majority of assessments would hardly reach the cost of printing, service, &c., of the notices, viz.: 5 cents each. I suggest that the several departments can be much more profitably employed than in manipulating such an assessment, and that the amount be paid from the fund provided for "Local Improvements on City Property."

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

Ordered received, filed and published.

By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF NOVEMBER, 1879.

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing November 3d, to and including Nov. 24th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Miller, Matthew, 50 Ontario st.....	\$ 40
Eritton, Albert E., 289 N. St. Paul st.....	43
Hillam, Wm., 139 Mill st.....	20
Green, Philip, 251 E. Main st.....	40
Hayes, Lany H., cor. E. Main and S. St. Paul.....	20
Miller, Louis, 108 North ave.....	20
Powers, Wm., 4 and 6 Mill st.....	20
Flynn, Sohn, 71 Front st.....	20
O'Neill, Wm., 36 S. St. Paul.....	30
Rogers, Frank, 102 East ave.....	30
Duerr, Carl F., 77 Chatham st.....	20
Smith, Daniel W., 41 E. Main st.....	20
Houser, Christian, 110 North ave.....	20
Wood, Hiram, 5 Exchange st.....	20
Kitley, Patrick, 17 Clifton st.....	20
Kern, August, 40 Front st.....	20
Knowles, Samuel, 176 W. Main st.....	20
Schaeffer, Frank J. & Bro., corner Reynolds and Adams sts.....	20
Wurtz, Frederic, 228 State st.....	22

Total amount received and deposited with City Treasurer
Dated Rochester, N. Y., Dec. 1, 1879. \$515

STATE OF NEW YORK,
County of Monroe, } ss.
City of Rochester.

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of said city, county, and State, being duly sworn, say, and each for himself says, that the foregoing annexed copy of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the moneys received from November 3d to November 24th, 1879, inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,

Excise Com'rs.

Sworn to before me this 1st day of December, 1879.

PARIS G. CLARK,

Commissioner of Deeds in and for the city of Rochester, N. Y.

Ordered received, filed and published.

By the Clerk—

CITY CLERK'S OFFICE,

ROCHESTER, N. Y., Dec. 2, 1879.

To the Hon. Common Council

In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office:

COMMISSIONERS OF DEEDS.

John Robson, Wm. N. Cogswell,
Francis J. Hone, Henry Kliedenst,
Thos. G. Outerbridge, Wm. E. Warner,
Richard Hudson, Chester B. Thomas,
Wm. E. Edmunds, D. L. Covill,
A. N. Fitch, Chas. F. Pond,
John Lynn.

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.

By the Clerk—

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
ROCHESTER, N. Y., Nov. 29, 1879. }

To the Common Council:

I transmit herewith as required by law :
A Statement showing expenditures by this Board in the month of November, 1879, and the condition of the several funds in the charge of this Board at this date.

Respectfully, your obedient servant.

V. FLECKENSTEIN, Clerk.

CITY OF ROCHESTER,
WATER WORKS AND FIRE BOARD,
OFFICE CITY HALL, Dec. 1, 1879. }

STATEMENT

Of expenditures by the Water Works and Fire Board in the month of November, 1879, and of the condition of the Funds in the charge of the Board at this date.

DISBURSEMENTS.	
Water Works Fund.....	\$2,552 65
Water Pipe Fund.....	2,006 73
Fire Department Fund.....	3,198 08
Amount of orders credited to City Treasurer.....	\$ 7,757 41
	7,757 41

MONTHLY BALANCE SHEET—CONDITION OF FUNDS.

Debit Balance.....	
City Treasurer.....	\$39,614 28
Credit Balance.....	
Water Works Fund.....	\$14,445 09
Water Works Special Fund.....	1,515 47
Water Pipe Fund.....	1,191 16
Fire Department Fund.....	22,463 56
	\$39,614 28 \$39,614 28

(Official.) V. FLECKENSTEIN,
Clerk Water Works and Fire Board.

OFFICE OF THE WATER WORKS AND FIRE BOARD,
Nov. 29, 1879.

Detailed statement of the expenditures of the Water Works and Fire Board in the month of November, 1879.

Water Works Fund.

November 7.	
Thos Lyons, damages to land.....	\$5 00
G W & C T Crouch, blocks and wedges	13 20
P Burke & Co, curb-boxes, wrenches, &c.....	53 66
John H Hill & Co, solder.....	3 36
Henry D Blackwood, painting.....	2 52
Payroll, service and repairs.....	95 75
J W McKinley & Son, hardware.....	10 55
A K Tower & Co, stationery.....	1 35
A M Sample, oil.....	4 08
Geo B Harris, services in office.....	9 59
Payroll at Hemlock Lake.....	6 50
Whitmore, Rauber & Vicinus, labor and material.....	81 46
Office disbursements.....	9 64
	\$296 66

November 14.	
Union Water Meter Co, repairs to meter.....	5 50
Executive Board, lumber.....	59 85
Payroll, labor on bridge at pump-house.....	10 81
Pay-roll, services and repairs.....	93 88
H S Allis, charcoal.....	1 62
J B Colman, corporation taps, &c.....	158 45
Office disbursements.....	5 79
Jas R Chamberlin, Ag't, rubber boots.....	3 50
W W Westbrook, board of laborers at Hemlock Lake.....	8 25
G B Harris, services in office.....	9 59
A K Tower & Co, stationery.....	2 45
Payroll, labor at Hemlock Lake.....	15 00
John P Smith, printing bills.....	15 00

November 21.	
Payroll, for labor at reservoir and city yard.....	8 37
Payroll, for service and repairs.....	103 38
Geo B Harris, services in office.....	9 59
Office disbursements.....	10 42
M Galliger, stakes and posts.....	3 25
E W Tripp, ice.....	6 50
A H Kasscall, board of horses.....	44 00

November 28.	
Orrin Purcell, for labor at Canadice Lake.....	42 30
Robert Crennell, for labor and material on conduit line, section 1.....	13 47
J B Colman, corporation taps.....	98 62
S H Oviatt, labor on conduit line, section 2.....	38 28
Payroll, operating expenses for November.....	1,906 67
Alex Gray, labor, &c, Rush reservoir.....	10 75
Geo B Harris, services in office.....	9 59
Payroll, services and repairs.....	105 26
Disbursements at Bath in suit of Hiram Smith et al. vs. City of Rochester.....	57 85
Postage stamps.....	5 00

Total charged Water Works Fund..... \$2,562 65
Fire Department Fund.

November 7.	
Henry Horsely, clipping horses.....	\$ 8 00
Geo. B. Page & Son, double lines.....	6 50
Rochester Gas Light Co., gas.....	18 25
L. S. Gibson, bills for washing.....	16 40

November 14.	
Daniel O'Neil, services and extra labor in Fire Department.....	28 38
Crystal Spring Ice Co., ice.....	13 00
S. M. Stewart, labor and material.....	69 28
J. C. King, bed and bedding.....	113 30
Stallman Bros., lat or and material.....	18 55

November 21.	
E. W. Tripp, ice for engine houses.....	13 15
S. M. Stewart, repairs to chem'l eng'e.....	88 44

November 28.	
Pay roll for month of November.....	2,245 16
V. Fleckenstein, salary as Com'r.....	166 66
C. C. Woodworth.....	166 66
Smith, Perkins & Co., pails.....	3 00
Louis W. Wehn, hay and straw.....	47 85
Joseph Speddy, patent harnesses, fixtures, &c.....	132 50
Jno. C. King, bed and bedding.....	34 00
Doxtater & Redding, blacksmithing.....	3 00

Amount charged to Fire Dep't Fund..... 3,198 00
Water Pipe Fund.

November 7.	
W A Anderson, pipe inspector.....	108 96
Whitmore, Eauber & Vicinus, labor and material.....	53 20
P Burke & Co, castings.....	134 96
Pay Roll, engineers and inspection.....	24 75
Florence Huck, labor and material.....	13 00

November 14.	
A C Bowen, for laying water pipes in Group 43 of Streets, partial estimate.....	35 00
John Howe, for laying water pipe in Group 45 of Streets, partial estimate.....	165 00
Pay Roll, engineers' services and inspection.....	24 75
Gahn & Klein, material and labor.....	73 25
P Labor, for laying water pipe in Group 46 of Streets, partial estimate.....	140 00
Office disbursements.....	2 79
W A Anderson, pipe inspection.....	36 24

November 21.	
Pay Roll, for engineer, assistance and inspection.....	18 75
Silas J Wagoner, final estimate for hauling pipe.....	78 27
N Y C & H R Railroad Co, freight on pipe.....	15 00
Water Works Fund, labor by service and repair men.....	7 21
David Clancy, partial estimate laying pipe Group 42 of Streets.....	380 00
Jas D Casey, partial estimate laying water pipe in Group 41 of Streets.....	380 00
David Clancy, partial estimate for laying water pipe, Group 47.....	240 00
John Creegan, partial estimate for laying water pipe.....	160 00

1,179 23

November 28.	
Jas Kane, Jr.....	6 00
N Y C & H R RR Co, freight on pipe.....	4 60
	10 60

Amount charged Water Pipe Fund..... 2,006 75
 WATER WORKS FUND.

OPERATING EXPENSES—MONTHLY PAY ROLL, Nov. 30, 1879.	
J. N. Tubbs.....	\$238 34
E. Kuichling.....	138 83
Thos. H. Rogers.....	55 00
T. J. Neville.....	125 00
C. A. Padley.....	75 00
L. M. Mandeville.....	53 00
W. N. Tubbs.....	40 00
S. C. McKay.....	90 00
Henry C. Smith.....	75 00
P. J. Healey.....	45 06
P. J. McCracken.....	45 00
J. McMahon.....	50 00
D. S. Almstead.....	50 00
C. W. Almstead.....	40 00
Alexander Gray.....	40 00
T. M. Blossom.....	40 00
R Crennell.....	60 00
S. H. Oviatt.....	60 00

\$1,306 67

SERVICE AND REPAIRS.
 PAY ROLL FOR SERVICE AND REPAIRS FOR WEEKS ENDING NOV. 7, 14, 21, 28.

Nov. 30.	
P Fleming.....	\$48 00
E A Maher.....	48 00
John King.....	40 50
Frank Curran.....	42 00
L Lidster.....	42 00
H Weber.....	39 00
Wm Fogarty.....	12 75
J Gallagher.....	30 00
P McKanna.....	30 39
Peter Leck.....	30 00
Patrick Boyle.....	2 50
John Storms.....	1 75
Frank McKenna.....	14 63
Aug Buber.....	1 00
Wm McCarthy.....	12 00
Ed Farley.....	3 75

\$398 27

FIRE DEPARTMENT FUND.
 PAY ROLL FOR MONTH ENDING NOVEMBER 30, 1879.

L S Gibson, Chief Engineer.....	\$120 00
J Malcomb, Assistant.....	33 38
B F Blackall, Supt. F. A. Telegraph.....	112 50
J P Foreman, Sup't Hose Dept.....	60 00
P. J. Hartel, eng'er and fore'n No. 1.....	60 00
M. Lumbert, driver.....	50 00
Thos Colbert, hoseman.....	50 00
John Colbert.....	50 00
Geo. E. Miller.....	50 00
Frank A Jaynes, foreman No. 2.....	55 00
Charles Weaver, driver.....	50 00
J. B. Teller, hoseman.....	50 00
E. H. Mix.....	50 00
F. C. Whitbeck.....	50 00
J. P. Topham, f'mn and engi. No. 3.....	60 00
C. Armstrong, driver.....	50 00
J. McCormick, hoseman.....	50 00
Charles Little.....	50 00
Owen Lynch.....	50 00
Sam'l Bemish, driver No. 4.....	50 00
Bernard Kearney, driver.....	50 00
Leo White, hoseman.....	50 00
George E. Baker.....	50 00
J. McMullen.....	50 00
Joseph Ringelstein, foreman H. & L. No. 1.....	25 00
J Plunkett, ass't.....	55 00
Thos Rice, tillerman.....	50 00
E. H. Roar, driver.....	50 00
James Snider, ladderman.....	41 00
P. O'Meara.....	50 00
Frank Huck.....	50 00
Wm. Fogarty.....	33 38
Wm Boon eng'r and fore'm'n H. & L. No. 2.....	50 00
E S Butler, driver.....	50 00
Frank spears, ladderman.....	50 00
Thos. Whitley.....	50 00
Chas Schafer.....	50 00
J. E. Finzer.....	50 00
Jerome P Dowd, eng'r and for'mn Chem Ext'r.....	60 00
Nicholas Oldfield, pipeman.....	60 00
E Fendley, driver.....	50 00
Edmund Barker ass't pipeman.....	50 00

Total.....\$2,245 16

WATER PIPE EXTENSION.
 PAY ROLLS OF NOV. 7, 14, 21.
 Geo. S. Hotchkln..... 31 50

Frank McKenna.....	19 75
James Kane, Jr.....	18 00

CONDUIT LINE, SEC. 1—PAY ROLL FOR NOVEMBER.

Chas. Schler.....	1 25
Chas. Vogel.....	1 25
Jas. Grace.....	1 25
Geo. Droughton.....	1 25
Geo. Telford.....	1 25
John Creed.....	1 25
M. Bray.....	1 50
C. House.....	1 25
Relk & Lapp, repairs.....	1 50
straw.....	1 50
Milo Case, boards.....	22

CONDUIT LINE, SEC. 2—PAY ROLL FOR NOVEMBER.

Wm. Thompson.....	7 50
P. Cheesbro.....	2 50
E. W. Oviatt.....	11 58
E. Coven.....	7 50
A. Dennison.....	2 50
Disbursements, water pails, stamps &.....	1 41

HEMLOCK LAKE—PAY ROLL FOR NOV. 7 AND 14

Orton Connors.....	5 88
Chas. Connors.....	3 00
J. Kavanagh.....	6 87
W. Adams.....	3 15
E. Yeomans.....	1 87
W. Watson.....	1 25

Repairing Race Bridge.

P. Neville.....	4 00
P. Newcomb.....	1 50
P. Boyle.....	2 00
H. Quinn.....	3 00
Wm. McIntyre.....	31

Distributing Reservoir and City Yard.

Robert Long.....	4 87
Philip Neville.....	2 00
Wm. McIntyre.....	1 50

Storage Reservoir.

Michael Foley.....	7 50
Philip Shoemaker.....	1 25
Mrs. Alex. Gray, board of men.....	2 00

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD CITY OF ROCHESTER, }
ROCHESTER, N. Y., Dec. 1, 1879. }

To the Common Council:

I have the honor to transmit herewith:

1. A statement showing the expenditures of the Executive Board for all purposes during the month of November, 1879, accompanied by condensed summaries of finance budgets and weekly pay rolls.
2. A balance sheet showing the condition of the several funds in the charge of the Executive Board at this date.

Respectfully your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
CITY HALL, Rochester, N. Y., Dec. 1, 1879. }

STATEMENT OF EXPENDITURES BY THE EXECUTIVE BOARD FOR ALL PURPOSES DURING THE MONTH OF NOVEMBER, 1879.

Total amount of all orders drawn upon the City Treasurer during the month.....\$17,938 57

Funds Debited.

Highway Fund.....	\$5,062 80
Salary and Expense Fund.....	353 64
Sidewalk Repairs.....	84 71
South Fitzhugh street Improvement.....	2,138 60
Jones street Flag Walk.....	160 08
East Main street Improvement.....	5,657 59
East Main street Flag Walk.....	2,948 29
Hudson street Improvement.....	21 53
Davis street Pipe Sewer.....	620 56
Campbell street Pipe Sewer.....	845 77
Total.....	845 77
	\$17,938 57

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
OFFICE CITY HALL, Rochester, Dec. 1, 1879. }

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 30th day of November, 1879.

Debit Balances

E. Main Street Improvement.....	28,927 97
Hudson Street Improvement.....	17,626 53

E. Main street flag walk.....	5,948 29
Opening st. through Hair property..	49 75
Davis Street Pipe Sewer.....	350 56
Campbell street pipe sewer.....	968 77
Sidewalk Repair Fund.....	2,225 50
Sundry Street Sprinkling Funds, 19	
in number.....	4,476 96
	61,069 38

Cr. Balances:

City Treasurer.....	\$34,836 87
Highway Fund.....	21,349 53
Macadam Stone Fund.....	1,333 81
Salary and Expense Fund.....	3,549 14
	61,069 38

(Official) FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER, }
Office, City Hall, Dec. 1, 1879. }

Summary of payments in month of November, 1879, as per Finance Budgets:

Highway Fund.

Weekly pay rolls for labor, 4 payments.....	\$1,899 45
F C Lauer, grading streets.....	80 00
Jno Stokes, rep tools.....	2 95
J W McKindley & Son, nails and hardware.....	4 08
Littlefield & Seifried, do and spikes.....	8 54
Waterworks and Fire Board, removing S hydrants.....	20 38
Gilbert, Brady & Co, stone work and stone.....	22 13
Geo B Harris, services, 4 payments.....	61 36
Hollister & Co, oak and pine lumber.....	2,665 44
W B Morse & Co, lumber.....	2 65
E C Campbell, 27 loads gravel.....	4 05
D Copeland, Jr, sewer pipe.....	5 19
H Soetzman, ice.....	4 70
Trotter, Geddes & Co, funnel.....	3 15
S W Millichamp, coal.....	3 15
Mrs R Penny, rent of dumping ground.....	6 25
J G Luitwieler, oil and sundries.....	37 91
J Steinhauser, rep tools.....	26 99
Geo B Harris, disbursements.....	56 65
James Dolan, McAdam stone.....	100 00
Irving Clacy, 100 loads gravel.....	30 00
C. Schwalbach, 56 loads gravel.....	8 40
Goodale & Stiles, red lantern.....	1 75
A. Nolte, printing.....	5 00
Mack & Co., spike maul.....	2 45
Geo. B. Harris, office disbursements.....	7 88
H. L. Fish, Asst. Supt. P. W., pay of operators at Allen street bridge.....	80 00

Total amount charged Highway Fund..... 5,062 80

Salary and Expense Fund.

A. K. Tower & Co., stationery.....	\$ 20 80
F. P. Kavanagh, salary.....	166 67
F. C. Lauer, Jr.....	166 67

Total amount charged Salary and Expense Fund..... 353 64

Sidewalk Repair Fund.

J. W. McKindley, nails and hardware.....	\$ 8 55
S. M. Campbell, for erroneous charge.....	1 97
Irving House.....	4 19
A. Nolte, printing notices.....	5 60
James H. Moore, labor 14 days, \$1.50.....	21 00
W. B. Davis, .. 16	24 00
Peter Feeder, .. 10	15 00
Valer the Brasch, .. 2	3 00
Conrad Ott, .. 2 .. 1 00..	2 00

Total amount charged Sidewalk Repair Fund..... \$ 84 71

South Fitzhugh Street Improvement.

Gilbert, Brady & Co., final estimate:	
Cash order.....	\$ 727 86
Time order, 1 year.....	727 87
2 years.....	727 87

Total amount charged to fund..... 2,138 60

Jones Street Flag Walk.

Gilbert, Brady & Co., final estimate:	
Cash order.....	\$ 160 08

Total amount charged to fund..... 160 08

East Main Street Improvement.

B. F. Butler, inspecting work, 12 1/2 days, \$2.00.....	\$ 24 50
Whitmore, Rauber & Vicinus, final estimate:	
Cash order.....	1,427 69
Time order, 1 year.....	1,877 70
2 years.....	1,877 70

Street Department, for use of steam roller, charged to contractors.....	450 00
Total amount charged to fund in November.....	5,657 59
<i>East Main Street Flag Walk.</i>	
Whitmore, Rauber & Vicinus, final estimate:	
Cash order	982 77
Time order, 1 year.....	982 76
2 years.....	982 76
Total amount charged to fund in November.....	2,948 29
<i>Hudson Street Improvement.</i>	
F. C. Lauer, extra work.....	\$21 53
Total amount charged to fund in November.....	\$21 53
<i>Davis Street Pipe Sewer.</i>	
James Holahan, inspect'g work 11 days	\$22 00
A. C. Bowen, final estimate:	
Cash orders.....	598 56
Total amount charged to fund in November.....	620 56
<i>Campbell Street Pipe Sewer.</i>	
John B. Kase, inspecting work 19 days	\$38 00
Wm. M. Webb, final estimate:	
Cash orders	807 77
Total amount charged to fund in November.....	845 77
Total payment in November.....	\$17,988 57

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to account of Highway Fund as per Finance Budgets in the month of November, 1879, embracing the time from October 31 to November 27, inclusive:

Kind of service.	Time.	Days.	Price.	Amt.
August Burbott, laborer.....	7½	1 00		7 50
Jacob Brown.....	13¾			13 25
Pat'k Boylan.....	5			5 00
Patrick Boyle.....	14			14 00
Patrick Ball.....	2			2 00
Chas Bushallac.....	17¾			17 75
Henry Bushallac.....	13¾			13 75
Valentine Brasch, carpenter.....	14	1 50		21 00
Martin Bleck laborer.....	11½	1 00		11 50
Patk Bose.....	2½			2 50
Joseph Caverish.....	9¾			9 25
Lawrence Connors.....	6			6 00
Christopher Connors.....	10			10 00
Timothy Connell.....	2			2 00
John Coolhan.....	2			2 00
Thomas Cusick, laborer.....	3½			3 50
Jeremiah Corrigan.....	4½			4 50
Louis Caspar paver.....	2½	1 50		3 75
Jo Cappon, steam roller.....	18¾	1 50		27 75
Chas Caspar laborer.....	2½	1 00		2 50
Joe Cox.....	5			5 00
John Corcoran.....	4			4 00
Patrick Carroll.....	2			2 00
Pat'k Cosgrove.....	1			1 00
James Coles.....	1			1 00
Jas Clancy laborer.....	1			1 00
David Donovan.....	7			7 00
Jas Daly.....	10¾			10 25
Andrew Dietrich.....	13¾			13 75
John Dolson.....	1½			1 50
John Emperor.....	1½			1 50
Jos Friedel, foreman.....	24	2 00		48 00
John Ford, laborer.....	8¼	1 00		8 25
Jos Egan.....	17	1 25		21 25
Jacob Farbenberger, laborer.....	4			4 00
Geo J Farber, foreman.....	32	1 50		33 00
Michael Feeney, laborer.....	1½	1 00		1 50
Edward Farley.....	1			1 00
John Geib.....	23			23 00
Jacob Geib.....	16			16 00
Domick Gallagher.....	3½			3 50
Ferd'nd Gottschalk.....	5			5 00
James Gosnell.....	5			5 00
Adam Graeb.....	5½			5 50
John Gosnell.....	16			16 00
Joseph Haraty.....	6¾			6 75
William Hart.....	3			3 00
John Hogan.....	6½			6 50
George Henster.....	4			4 00
Fred'k Hermann.....	11¼			11 25
Andrew Keller.....	3	1 25		3 75
John Kavanagh, foreman.....	3½	1 00		3 50
John Kavanagh, laborer.....	7½			7 75
Martin Kilpeck.....	8½			8 50
John Kee.....	9			9 00
Adam Keller.....	4¾			4 75
John Kuehn.....	5			5 00
Michael Kelly.....	5			5 00

John Knorr.....	3½			3 50
William Lawrence.....	15			15 00
John Leverage, paver.....	2½	1 25		3 12
Edward McMenomy, mason.....	19¾	1 50		29 62
William McIntyre, paver.....	15	1 25		18 75
John McMahon, laborer.....	9¾	1 00		9 50
James McGuire.....	14¾			14 50
Patrick McVey.....	4¾			4 75
Owen McGrady.....	6			6 00
John McNerney.....	10¾			10 75
Thomas McKenna.....	5¾			5 75
Edward McDonald.....	5			5 00
William McCarthy.....	2			2 00
Edward McMahon.....	12			12 00
Michael McCusker.....	2			2 00
Michael Mulqueen.....	2			2 00
Michael Maley.....	2½	1 50		3 75
James H Moore, inspector.....	3½	1 00		2 50
Patrick Newcomb, laborer.....	15¾	1 50		12 75
Philip Neville, carpenter.....	3¾	1 00		2 75
Andrew Nolan, laborer.....	10¾			10 50
Terence O'Brien.....	3½			3 50
Miles O'Donnell.....	1			1 00
Edward O'Neill.....	1½			1 50
William O'Brien.....	1½			1 50
James O'Brien.....	13¾			13 75
Conrad Ott.....	2¾			2 75
Jacob Oster.....	1			1 00
Elias Plater.....	22	1 50		33 00
Henry Park, foreman.....	14¾	1 00		14 75
John Pierce, laborer.....	12¾			12 75
Charles Prangi.....	4			4 00
John Paisio.....	1½			1 50
John Pyne.....	6¾	1 50		9 75
Hugh Quinn, paver.....	4	1 00		4 00
Matthew Quinn, laborer.....	2			2 00
Edward Quinn.....	18¾			18 75
Nicholas Reider.....	16¾			16 50
Jason Root.....	4½	1 50		6 75
Peter Reeder, carpenter.....	1 00			1 00
Thomas Rea, laborer.....	7¾			7 25
James Ryan.....	1			1 00
Patrick Rohan.....	6¾			6 75
Jeremiah Sullivan.....	15			15 00
Charles Stenchel.....	2			2 00
John Stanton.....	6			6 00
John Stechel.....	6			6 00
Michael Sullivan.....	12¾			12 50
John Schroth.....	2½	1 50		3 75
Theodore Strutz, paver.....	1	1 00		1 00
Frederick Strewing, laborer.....	15¾			15 50
Henry Seitz.....	18¾	1 50		27 75
Frank Sem.....	2			2 00
Dennis Shehan, roller.....	18¾	1 50		27 75
John Sturm, laborer.....	1½			1 50
Martin Schultz.....	1½			1 50
John Scanlan.....	2			2 00
Frederick Tuppis.....	18¾	1 50		19 87
Samuel Williams, paver.....	4	1 00		4 50
Peter Weis, laborer.....	2¾			2 25
William Wade.....	2¾			2 25
John Williams.....	2½			2 50
John Weining.....	4½			4 50
William Yund.....	4 w ks	9 00		36 00
William Kret, toolman.....	4	11 54		46 16
William J. Steinhauer, clerk.....	26 92			107 68
Patrick J. Dowling, Superintendent.....	8 00			28 50
Edwin Ames, team.....	12			12 00
John Armstrong.....	9½			9 50
Peter Bayer.....	14¾			14 75
John Barry.....	4			4 00
Wm Bedard.....	3			3 00
George Comons.....	12¾			12 75
Henry H Cram.....	2¾			2 75
John Curtin.....	2			2 00
Frank Callahan.....	10			10 00
John Eisenhauer.....	11¾			11 50
Joseph Eble.....	3			3 00
John Eickert.....	3¾			3 75
Benjamin Fischer.....	16¾			16 25
Peter Harray.....	7¾			7 75
William Hollis.....	7			7 00
John Kennedy.....	8			8 00
Dennis Keane.....	3			3 00
Frederick Keahl.....	8			8 00
Michael Miller.....	2			2 00
Martin May.....	6			6 00
George Nicholas.....	10			10 00
Peter Oliver.....	12			12 00
Patrick Rosney.....	3			3 00
Michael Ryan.....	10¾			10 75
John Slattery.....	10¾			10 75
John Smith.....	2			2 00
William Smith.....	3			3 00
Hugh Smith.....	1			1 00
Henry Waring.....	18¾			18 75
Frank Ward.....				

Total.....\$1,899 45
Received, filed and published.

By Ald. Chace—
To the Honorable the Common Council:

GENTLEMEN: We, the undersigned, selected by your honorable body as directors of the Rochester & State Line Railway Company respectfully report:

That we attended at the recent annual election of directors of the company in New York, and were there, by the stockholders at large, elected directors on the part of the city of Rochester, and we met with the new directors.

We found that the hostile attitude assumed by the city toward the company, and the commencement of a suit at law against them, had created much surprise and regret. This action was regarded as highly injurious to all the interests concerned, the interests of the city as well as the interests of the company.

We respectfully submit that a due regard for the prosperity and success of the railway company will, in the end, most effectually promote the welfare of the city, and secure substantial returns for the capital it has invested in the enterprise. We therefore respectfully beg leave to suggest that the suit be discontinued and a policy of conciliation and harmony adopted. Very respectfully, your obedient servants,
 E. B. CHACE,
 GEO. FLECKENSTEIN,
 Directors.

By Ald. Chace

Resolved, That the committee on the city's rights and claims in connection with the State Line railway company be and they are hereby instructed to cause the pending suits to be discontinued, and to seek to harmonize the interests of the company and the city, and the City Attorney is hereby instructed to discontinue said suits.

Ex-Ald. Montgomery was heard.

Ex-Ald. Kelly was heard.

Ex-Ald. Booth was heard.

D. D. S. Brown was heard.

Ald. Westbury moved that the resolution lie on the table for two weeks.

Ald. Chace moved as an amendment that the resolution lie on the table until Thursday evening.

Ald. Otis moved that when this Board adjourn it be until Thursday evening of this week, when the subject of elevated tracks and State Line Railroad matters will be discussed. Adopted.

By Ald. Edelman—
To the Honorable the Common Council of the City of Rochester:

GENTLEMEN: The undersigned would respectfully notify your Honorable Body that the Rochester and Lake Ontario Railroad Company, in the construction of said road, have filled up an open ditch on the west side of North avenue near Norton street, within the city limits, and by so doing have cut off the drainage from lands occupied by the undersigned for nursery purposes, much to their detriment; and if the ditch is not again opened immediately, serious damage will be done to the property of the undersigned, and if so, payment will be demanded for such damage from either the railroad company or the city, or both.

All of which is respectfully submitted.

GEORGE MOULSON & SON.

Rochester, Dec. 2d, 1879.

Referred to the Executive Board.

ACTION ON ORDINANCES.

PLANK WALK ON WEST SIDE OF PARK PLACE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet wide on the west side of Park place, from Troup street to West avenue, also the necessary crosswalks.

The Surveyor submitted as such estimate \$300.

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

The construction of a plank walk four feet wide on the west side of Park place, from Troup street to West avenue, also the necessary crosswalks.

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

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

One tier of lots on the west side of Park place from Troup street to West avenue.

And the Clerk is hereby directed to publish notice in pursuance of title vii, section 165 of the revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Dec. the 16th, 1879, half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

PLANK WALK ON THOMPSON STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk, four feet eight inches wide, on the west side of Thompson street, from Costar street, to a point 500 feet north thereof, except where good plank walks now exist.

Adopted.

The Surveyor submitted as such estimate \$150.

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

The construction of a plank walk, four feet and eight inches wide, on the west side of Thompson street, from Costar street, to a point 500 feet north thereof, except where good plank walks now exist.

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

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

One tier of lots on the west side of Thompson street in front of which the said plank walk may be constructed.

And the Clerk is hereby directed to publish notice, in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, December the 16th, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SEWER IN EXCHANGE STREET.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a brick sewer 3 feet 9 inches in diameter in Exchange street, from the centre of Court street to the sewer in West Main street. Also the necessary surface sewers, lot laterals, man-holes, &c. (The present sewer to be utilized as far as may be found practicable.) Adopted.

The Surveyor submitted as such estimate \$10,000.

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

The construction of a circular brick sewer 3 feet 9 inches in diameter in Exchange street, from the centre of Court street to the sewer in West Main street. Also the necessary surface sewers, lot laterals, man-holes &c. (The present sewer to be utilized as far as may be found practicable.)

And whereas, The City Surveyor, under the direction of this Council has made an estimate of the whole expense thereof, and reported the same at \$10,000, which estimate is hereby approved.

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

All the territory described by, and enclosed within the following described boundary lines, viz.: Beginning at the intersection of the east line of Irving Place with the south line of West Main street, thence southerly along the east line of said Irving Place, and in said line continued to the southerly line of the Erie canal lands, thence westerly along the southerly line of said Erie canal lands, to the east line of Fitzhugh street, thence southerly along the east line of said

Fitzhugh street, to the south line of Troup street, thence westerly along the south line of said Troup street to the west line of the alley between Fitzhugh street and Plymouth avenue, thence southerly along the west line of said alley to a point opposite the division line between properties heretofore owned by A. L. Johnson and George L. Stratton, thence westerly along said division line to the west line of Plymouth avenue, thence southerly along said Plymouth avenue, and including one tier of lots on the west side thereof to Glasgow street, excepting the lot on the northwest corner of Clarissa street and Plymouth avenue, thence easterly along Clarissa street to Exchange street, excepting one tier of lots on the north side of Clarissa street, between Plymouth avenue and Greig street, thence northerly along said Exchange street, and including one tier of lots on the east side thereof to Glasgow street, thence easterly along said Glasgow street to the Genesee river, thence northerly along the Genesee river to the Rochester, Carroll and Fitzhugh race, thence northerly along the westerly line of said race to Aqueduct street, thence northerly along said Aqueduct street to West Main street, thence westerly along said West Main street to the place of beginning, excepting one tier of lots on the south side of said West Main street, between Aqueduct street and Irving Place.

And further, Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in five equal payments, as follows: One-fifth of the amount assessed within thirty days after the advertisement of the Assessment Roll; one-fifth of the amount within one year from the confirmation of said Roll; one fifth of the amount within two years from the confirmation of said Roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening Dec. 15th, 1879, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted. CITY TREASURER'S OFFICE, Rochester, N. Y. Nov. 29, 1879.

To the Honorable the Common Council: GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2,085 for Jones street walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$160.08.

Yours respectfully, GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,085.

Whereas, The Common Council did upon the 21st day of October, 1879, enact an ordinance for Jones street plank walk.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$160.08, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows: Old School House Lot No. 5.

Therefore, Resolved, That the sum of \$160.08, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, Dec. 6th, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote: Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—14.

CITY TREASURER'S OFFICE, ROCHESTER, NOV. 19, 1879.

To the Hon. the Common Council: GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under

Ordinance No. 2,081, for South Fitzhugh street improvement, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$2,489.80.

Yours respectfully, GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,081.

SOUTH FITZHUGH STREET IMPROVEMENT.

Whereas, The Common Council did upon the 26th day of August, 1879, enact an ordinance for South Fitzhugh street improvement.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$2,489.80, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Fitzhugh street from Adams street to Edinburgh street.

Therefore, Resolved, That the sum of \$2,489.80, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of Dec., 1879, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote: Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—14.

Ald. Mandeville moved that the final ordinance for grading a street through the Hair property be postponed until the next regular meeting, and that the Clerk advertise for allegations. Adopted.

The final ordinance for the extension of Lake avenue outlet sewer was, on motion of Ald. Chace, postponed until the next regular meeting, and the Sewer Committee and City Surveyor consult with property owners through whose property the sewer passes. Adopted.

UNFINISHED BUSINESS.

Ald. Otis called from the table the local improvement assessment for Plymouth Park walk, and moved that the Clerk draw an order chargeable to the Local Assessment Fund, and that all farther proceedings be discontinued. Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

EXECUTIVE BUSINESS.

Ald. Hart moved that the Board proceed to ballot for a City Assessor. Adopted.

FIRST BALLOT.

David McKay.....16
David McKay having received the required number of votes was declared elected Assessor for the term of three years from Jan. 1st, 1880.

Ald. Otis moved that the Board proceed to ballot for Commissioners of Deeds. Adopted.

Ald. Warren moved that the clerk cast the ballot.

David F. Worcester, David Hayes, W. M. Westbury, S. H. Gillette, John H. Foley and Geo. W. East, having received the requisite number of votes were declared duly elected.

MISCELLANEOUS BUSINESS.

By Ald. Tracy—
Your Lamp Committee to whom was referred the petition of citizens residing in South avenue,

in regard to the naphtha lamps therein, find that the dissatisfaction is not so much with the quality of light given, but arises from the fact that the lighting is done under the old system, and we think in this respect the complaint is well founded. We offer the following resolution:

Resolved, That the Lamp Committee receive proposals from Mr. Pendergrast, the agent of the National Gas Light Company, for the lighting of the naphtha lamps in the city all night, and every night, until March 1, 1880, the expiration of his present contract, and report at the next regular meeting of this Board.

WILLIAM H. TRACY,
LYMAN M. OTIS,
LEWIS EDELMAN,

Adopted. Committee.

By Ald. FitzSimons—Whereas, Section 249 of title 11 of the city charter relating to public health, confers upon the Common Council of the city of Rochester authority to take such measures as they shall deem effectual to prevent the entrance of any pestilential or infectious disease into the city, and to send persons infected with any such disease to the pest-house, &c.; and

Whereas, The Board of Health of said city has heretofore assumed to act, and to see that the provisions of said section have been fully carried out and complied with; therefore,

Resolved, That the Board of Health of the city of Rochester be and they hereby are authorized and empowered to see that the provisions of said section are from time to time enforced as the circumstances, in their judgment, may require.

Ald. FitzSimons moved that the communication lie on the table for two weeks. Adopted.

By Ald. Hebing—Resolved, That the City Attorney be and he is hereby instructed to defend the action brought by Mr. George Dowd against the city. Adopted.

By Ald. Vay—Petitions of J. D. Scott, Mich. Spang and Chas. Rosner for permission to erect wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Vay—Petition of Ferry Bauer for services due as bridge tender. Referred to Law Committee.

By Ald. Edelman—Resolved, That Francis Forest be granted a market license to sell fresh meat, at No. 252 North street, until July 1, 1880, by paying into the Treasury the sum of one dollar. Adopted.

By Ald. Hart—Resolved, That the Clerk draw an order on the Treasurer for \$80 in favor of William H. Cheney, President of the Society for the Prevention of Cruelty to Animals, that being the amount in the Treasury to December 1st, 1879, belonging to that Society and charge Police Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Hart—Resolved, That the name of Bates street be changed to Park avenue. Adopted.

By Ald. Hart—Resolved, That the Executive Board be requested to place a crosswalk on University avenue, crossing Upton Park. Adopted.

By Ald. Tracy—Resolved, That the Lamp Committee be, and they are hereby authorized to advertise for proposals for lighting and care of the public kerosene lamps under the all night system for one year, from the 1st day of January, 1880. Also for proposals for lighting &c. on the present system. That they also be directed to request proposals from the representatives of the National Gas Light Co. for lighting the same with naphtha, and report said proposals at the next regular meeting of this Board. Adopted.

The Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Dec. 4th, 1879.

ADJOURNED REGULAR MEETING.

Present—Ald. Tracy FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. E. B. Chace, President of the Board in the chair.

Ald. Otis asked and obtained unanimous consent to offer the following—after announcing the death of ex-Ald. Geo. Herzberger:

Whereas, In the death of ex-Alderman George Herzberger we realize the fact that this community has lost an enterprising and valuable citizen, one who for six years served faithfully in the Common Council the interests of the municipality; a kind and indulgent husband and father; a steadfast friend, always ready to lend a helping hand to those in need; therefore,

Resolved, That the condolences of this Board are tendered to the afflicted family, and the clerk is directed to transmit a copy of this preamble and these resolutions to them.

Resolved, That this Board will attend the funeral of the deceased in a body.

Resolved, That a committee of three be appointed to make suitable arrangements to this end.

Ald. Otis moved the adoption of the preamble and resolutions. Adopted.

The President—Ald. Hart in the chair—announced the following committee of arrangements: Ald. Knowles, Hebing, Chambers.

Ald. Chace called up the following and moved its adoption.

Resolved, That the committee on the city's rights and claims in connection with the State Line railway company be and they are hereby instructed to cause the pending suits to be discontinued and to seek to harmonize the interests of the company and the city, and the City Attorney is hereby instructed to discontinue said suits.

Ald. Hebing moved that Gen. Martindale and others present be heard. Adopted.

A number of gentlemen were heard.

Ald. Warren moved to suspend the rule to adjourn at eleven o'clock.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Wickens, Edelman, Weaver, Hart—13.

Nays—Ald. Mandeville, Vay, Knobles—3.

Ald. Weaver moved that the resolution of Ald. Chace be indefinitely postponed. Lost by the following vote:

Ayes—Ald. Fitz Simons, Warren, Hebing, Weaver—4.

Nays—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—12.

Ald. Fitz Simons moved that the resolution lie on the table until the next regular meeting, and that the committee in the meantime ascertain from Mr. Vanderbilt to what extent his interests would be injuriously affected by the continuance of the suit. Adopted by the following vote:

Ayes—Ald. Fitz Simons, Otis, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—11.

Nays—Ald. Tracy, Westbury, Crouch, Chace, Edelman—5.

Ald. Fitz Simons moved that when the Board adjourn it be until next Tuesday evening. Adopted.

Ald. Hebing moved to adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Dec. 9th, 1879.

ADJOURNED REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Wickens, Edelman, Weaver, Knobles, Hart—14.

Absent—Ald. Mandeville and Vay—2.

Ald. Westbury in the chair.

Ald. Hart asked and obtained unanimous consent to present an invitation to the Council to attend the annual ball and concert of 54th Regiment band.

The invitation was accepted.

Ald. Chace, from the Special Committee on Elevated Tracks, presented the following report signed by a majority of the committee and moved its adoption:

To the Honorable the Common Council of the city of Rochester:

GENTLEMEN: Your special committee, to whom was referred the subject matter of the elevated tracks of the New York Central and Hudson River railroad company through the city, have had several consultations and have agreed upon a report, which is herewith submitted.

We cannot forbear premising and, without entering into all the minutiae of the proceedings taken since the subject of elevated tracks was broached to the community some years ago, with a few remarks justifying us in the step we have taken.

The community demand that the issue shall be brought to a close with a definite proposal from both sides, and a mutual arrangement that shall stand as an agreement for general purposes of the city and the railway authorities.

The negotiations heretofore had, and before a written, detailed proposal was made to the citizen's committee by Mr. Vanderbilt, were indefinite, but suggestions were made that gave some of your present committee, who were members of the special railroad committee of the preceding council, the assurance that possibly the railway management will concede certain conditions which our citizens seem to require, and which we have incorporated in our report. These suggestions were not included in the official proposal of the ailyway company.

We think that the modifications made by us—on reflection, and with an earnest desire to conciliate all opinions and interests—will be accepted by the company. They will at least serve the purpose of procuring an official declination of the modifications or an official acceptance—neither of which are now before us. We believe that the desire of the New York Central & Hudson River railroad management to promote the interests of the city of Rochester, so far as they do not seriously conflict with the interests of the railroad, will induce them to acquiesce in the proposals submitted.

The city of Rochester proposes to permit the New York Central and Hudson River Railroad company to change the grade of the main line of their railroad in the city of Rochester, N. Y., so that there shall be no street crossings at grade, except as hereinafter expressly provided, with their main tracks, between East Main street and the Erie canal, in accordance with the map and profile herewith submitted, and to complete said work within two years, exclusive of delays arising from legal impediments.

The change of grade shall commence at a point in the present grade about five hundred (500) feet easterly from Union street, and the new grade line from that point westerly to its intersection with the present grade of the Erie canal bridge shall be placed at the elevations shown in the following table above the present street grade at corresponding points:

Union street to remain a grade crossing, the railroad company having the right to erect and maintain gates at the sides of the tracks if it so desires,

Hibbard street, five (5) feet six (6) inches above Scio street, nine (9) feet six (6) inches above.

North street, thirteen and one-half (13½) feet above.

Hudson street, twelve and one-half (12½) feet above.

Chatham street, ten and one-half (10½) feet above.

St. Joseph street, eleven and one-half (11½) feet above.

Joiner street, eleven (11) feet six (6) inches above.

Clinton street, thirteen (13) feet six (6) inches above.

Pitt street, fifteen (15) feet above.

St. Paul street, two (2) feet six (6) inches above the present bridge.

Water street, nineteen (19) feet above.

Mill street, twenty (20) feet six (6) inches above.

State street, twenty (20) feet above.

Sophia street, seventeen (17) feet above.

John street, fifteen (15) feet six (6) inches above.

Kent street, fifteen (15) feet above.

Allen street, fifteen (15) feet above.

Ford street, twelve (12) feet six (6) inches above.

Broad street, nineteen (19) feet above.

It is understood that the term "grade" signifies the elevation of the bottom of the rails of the track and that the bridge supporting the tracks will extend from one (1) to three (3) feet below the rails and that where the height from the present grade to the proposed bridges is insufficient for ordinary wagon traffic, it must be increased by lowering the grade of the streets.

There shall be no tracks at street grade east of the west line of State street after the elevated tracks are completed.

It is expressly understood that the city will not assume any obligation, or consent, *pro forma*, to the closing or discontinuance of any street, anything in the annexed conditions to the contrary notwithstanding.

In no case shall the streets or sidewalks thereof be permanently encroached upon or obstructed by the embankments or walls.

The road bed shall consist of an earth embankment with stone retaining walls, half the height of the elevation (from the west line of the bridge at North street, to the Erie canal, both sides) surmounted with a suitable and substantial iron fence. Masonry abutments and iron bridges shall be constructed at all street crossings.

This proposal is made subject to the following conditions:

First—The railroad company may occupy with their retaining wall so much of the northerly part of Atwater street, as is now occupied and covered by their present most southerly track, and if said company shall elect to purchase a triangular parcel of land from the southeast corner of Atwater and Water streets and devote the same to public use for street purposes, their retaining wall may be placed further south, but not so as to make said Atwater street less than fifty (50) feet in width.

Second—The wall to be placed on the southerly side of the railroad between Mill and State streets, may be so placed that the street in front of Congress hall and the Waverley hotel will not be less than forty (40) feet in width.

Third—The roadway of Tonawanda street as now used shall not be narrowed, but the wall may be moved northerly to the present line of the telegraph poles.

Fourth—The railroad company shall have the right to cross at grade such streets west of and including Ames street, as may be required for a connecting line between the main line and the Niagara-Falls and Charlotte branches, and to lay two additional tracks on the north side of their present road across all streets west of Maple street.

Fifth—The abutments to support the iron bridges to carry the railroad tracks across intersecting streets, must, in all cases, be constructed inside of the inner line of the sidewalks, and in no way to obstruct the walks, and whenever the width of the roadway, between said curb lines is thirty-four (34) feet or more, except in Allen and Ford streets, a row of columns may be placed in the center of said roadway.

Sixth—The tracks shall be carried over King street upon a bridge, and the city will authorize the grade of Brown street at the railroad crossing to be raised two (2) feet.

Seventh—State street bridge to be a truss bridge of one span. The floors of all bridges to be made tight, so as to prevent dripping, etc. The North street bridge to be built without columns in the roadway, unless the requirements of railroad traffic should make them indispensable. All other bridges to be constructed as described in original proposition.

Eighth—The city shall have right of way for fifteen years for a foot-bridge and approach on railroad company's land, and until such further time as said land may be required for the use of the company, from Water street to Mill street. Such right of way not to be less than ten (10) feet in width, and to be adjacent to the south line of the railroad company's land.

Ninth—The railroad company will seed down the slopes of exposed embankments, and keep them clean and in good order.

Tenth—The elevated roadbed shall be built for four tracks, but the railroad company shall have the right to widen the same, or any part thereof, for two additional tracks whenever the business of the company shall require such additional facilities.

Eleventh—Wherever the grade of the elevated roadbed is so low that any street crossing the same must be lowered to accommodate public traffic, the railroad company shall perform the work of lowering the street adjacent to their abutments and the approaches thereto, under the direction of the proper city authorities.

Twelfth—During the progress of the work the city authorities will extend to the railroad company all reasonable privileges required for its rapid and economical prosecution, and for the maintenance of traffic upon the railroad. And the railroad company shall avoid all unnecessary obstruction of streets and inconvenience to the public.

E. B. CHACE,
LYMAN M. OTIS,
D. G. WEAVER,
E. K. WARREN,
Committee.

On invitation several citizens were heard on the subject.

Ald. FitzSimons obtained leave to present the following minority report:

THE MINORITY REPORT.

To the Honorable the Common Council:

GENTLEMEN: The committee on New York Central railway tracks within the city, to whom was referred the proposition received by the citizens' committee from William H. Vanderbilt, president of the New York Central and Hudson River railway company, to elevate the main tracks of this railroad through a portion of the city, would respectfully offer the following brief resume of the negotiations had with the New York Central and Hudson River railroad company on this subject during the past two or three years:

More than two years ago measurements and surveys were made which demonstrated the practicability of remedying all the difficulties that the railroad company and the city were mutually suffering, by the depression of the bed of the railroad through the city. Soon thereafter and in the month of March, 1878, your committee, with the mayor and city surveyor, met Mr. Vanderbilt in New York city, pursuant to an appointment with him, for the purpose of presenting to him the plan of depressed tracks and even urging the adoption of it. Mr. Vanderbilt declined even to consider the propositions, alleging that the expense of such a structure would be more than the company could afford. He was then questioned by the committee as to whether he would entertain such a proposition, provided the city would bear a portion of the expense. He expressed serious doubts of the ability of the city authorities to raise money by taxation for any such purpose, and intimated that he had heretofore had some experience of that nature with other cities on the line of the road.

It should be stated that, during all the discussion, the map of the depressed tracks which the committee presented was extended on his table and underwent a careful inspection by himself and his chief engineer, Mr. Fisher, together with Mr. Tillinghast, Mr. Burroughs and other officers of the company.

It was a notable fact that although Mr. Vanderbilt had recently written a letter to a member of the committee stating that the plan of depressed tracks was not practicable, on account of the increase of grade, which the depression would create, not one word did he utter on that subject to the committee or any member of it on the occasion referred to, but on the contrary Mr. Fisher, in his presence, acknowledged as the measurements indicated, that the grades were easy and the means of drainage sufficient. The only objection made by Mr. Vanderbilt was the cost. Mr. Vanderbilt thereupon introduced the subject of elevated tracks, and gave the committee a description of his plan of the same, which he said was conceived by him some years ago while in Rochester, in company with his father, Commodore Vanderbilt, which plan he described substantially as follows: Build two retaining walls from the canal bridge to North street, enclosing all the available land now owned by the company, which, in the central part of the city, is 200 feet in width, fill between these walls with earth until the surface of the plateau thus raised would form an available grade from the surface of the canal bridge to the surface of the present tracks at North street. At the intersection with streets, openings to be left the full width of the streets, crossed by suitable bridges, each of one span only.

Shortly after the committee returned from New York city, the restriction originally placed on the committee to negotiate only with reference to depressed tracks was removed, and a resolution passed authorising them to negotiate for any change of grade which would afford relief to the city and railroad company, and notice of this enlargement of the committee's authority to negotiate was thereupon forwarded to Mr. Vanderbilt.

Soon after this a corps of engineers appeared on the scene, ostensibly for the purpose of taking measurements with a view of elevating the tracks

as proposed by Mr. Vanderbilt to the committee, and at the end of about ten days the engineers disappeared.

In the month of December, 1878, a majority of the committee, on their own motion, went to New York city for the purpose of urging this matter on the attention of Mr. Vanderbilt, but, although he was in the city at the time, the committee could not succeed in securing an interview with him, but were turned over to Chief Engineer Fisher, who, as it appears by the report of the members present, discussed with them a plan of elevated tracks greatly differing from the plan proposed by Mr. Vanderbilt, and much cheaper and inferior to it.

Nothing further on the subject transpired until about May, 1879, when the common council requested the mayor to enforce against the railroad the ordinances relating to railroad companies. The ordinances were enforced, and in consequence thereof a meeting of citizens was called to oppose the enforcement of the ordinances. When the meeting came to be held the sentiment of those present was overwhelmingly in favor of the action of the city authorities. Able speeches were made by General Martindale, William N. Sage and others, which vividly pictured the danger and inconvenience suffered by our citizens in consequence of the total disregard of our rights by the railroad authorities in operating their road through our city. The meeting finally appointed the present citizens' committee to confer with Mr. Vanderbilt and ascertain whether any measures of relief could be obtained from him.

This was the origin and authority of the citizens' committee, whose report recently presented has been referred to this committee.

It is not necessary to refer to the negotiations between the citizens' committee and the railroad authorities. It is enough to say that the committee in the discharge of their duties evinced a zeal and energy, and a knowledge of the subject, which was in every way creditable to them. But it should not be forgotten that the citizens' committee did not have or pretend to have any authority to coerce the company or to bind the city, and did not act or pretend to act by authority of the common council.

It will be seen by the foregoing resume that the action of the city authorities has been perfectly consistent throughout the whole of the negotiations, and that whatever retreating or change of position has taken place, has been on the part of the railroad authorities.

It is the opinion of your committee:

First—That the closing of streets as proposed by the plan presented by the citizens' committee, ought not to be permitted.

Second—That the company should be required to enclose this embankment with some retaining walls the full height of the roadbed from North street to the canal, as originally proposed by Mr. Vanderbilt.

Third—That all crossings openings should be left the full width of the street and bridges with one span, as originally proposed by Mr. Vanderbilt.

In recommending your body to take this action, your committee, without attempting to go over all the ground, would present the following considerations.

First—That the only objections made by the railroad company to the foregoing restrictions is the question of expense, and that in regard to the streets and bridges, the amount involved is very small.

Second—The proposed earth embankment with stone walls less than the whole height, would be a permanent, increasing and irremediable disfigurement and nuisance for all time.

Third—The moment the city authorities establish the grade desired by the company, they will lose all jurisdiction of the subject, and no matter how intolerable the nuisance should become in future years, when the railroad and the city have grown far beyond their present proportions, there can be no possible redress.

Mr. Vanderbilt does not pretend to disguise the fact that some relief must be had to the railroad from the state of things now existing in this city.

If the city stands firm in the positions herein recommended the result will doubtless be that the company will accede to it or depress the tracks or move them south of the city, either of which results would be greatly preferable to the disfigurement proposed.

All of which is respectfully submitted.

M. H. FITZ SIMONS.

Ald. FitzSimons moved the adoption of the minority report.

Lost by the following vote:

Ayes—Ald. FitzSimons, Hebing, Wickens, Knobles, Hart—5.

Nays—Ald. Tracy, Westbury, Otis, Warren, Crouch, Chambers, Chace, Edelman, Weaver—9.

The majority report was then adopted by the following vote:

Ald. Tracy, Westbury, Otis, Warren, Crouch, Chambers, Chace, Wickens, Weaver, —9.

Days—Ald. FitzSimons, Hebing, Edelman, Knobles, Hart—5.

Ald. Chace in the chair

Ald. FitzSimons raised the point of order that it took a two-third vote to adopt the report. The President decided the point not well taken and the report adopted.

Ald. FitzSimons appealed from the decision of the chair.

The City Attorney was heard.

The Chair put the question—Shall the decision of the Chair stand as the sense of the Board? and it was decided affirmatively by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. FitzSimons—1.

Ald. Hart moved that the present Special Committee of the Council retain the matter in hand and consult Mr. Vanderbilt. Adopted.

Ald. Hart asked consent to take up the State Line Railway Company question.

Ald. Warren moved to adjourn.

Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Wickens, Weaver, Knobles—7.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Hart—7.

Ald. Hart renewed his motion.

Objection was made, and the President ruled the motion out of order.

Ald. Knobles moved to adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Dec. 16, 1879.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the last meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Tracy—Bill of
B. F. Thomas, lamp pots.....\$ 15 00
Referred to the Lamp Committee.

By Ald. Otis—Bill of
 N. T. Hackstaff, printing..... 8 00
 Referred to the Health Committee.
 By Ald. Warren—Petition of William E. and
 Amelia C. Beck for cancellation of taxes.
 Referred to the Assessment Committee.
 By Ald. Crouch—Bills of
 Buckley & Co., groceries..... 12 00
 John Hart, shoes..... 248 00
 S. W. Millichamp, wood..... 66 12
 F. Morhardt, meat..... 80 00
 J. Schutte, Overseer's disbursements..... 68 40
 Daniel Loebis, flour..... 317 50

Referred to the Poor Committee.
 By Ald. Chambers—Bills of
 N. T. Hackstaff, printing..... 4 00
 William F. Cogswell, services..... 2,513 70
 Union and Advertiser, printing..... 15 00
 20 00
 88 00
 187 00
 W. H. Mills, hackhire..... 1 50
 A. Kasseeal, 2 00
 James Day, 3 00
 Joseph Apply 1 50
 Herald Printing Company, publishing notices. 75 78
 James Kavanagh, hack hire..... 3 00

Referred to the Contingent Expense Committee.
 By Ald. Chambers—Petition for gas lamps
 in New York street. Referred to the Lamp
 Committee.

By Ald. Chambers—Petition of Eliza B.
 Strong for remission of taxes. Referred to the
 Assessment Committee.

By Ald. Mandeville—Bills of
 Howe & Snyder, work at City Hall..... 28 35
 Richard Wright, labor and repairs..... 65 04
 Sargent & Greenleaf, repairing locks..... 75

Referred to the City Property Committee.
 By Ald. Vay—Petition of Aug. Drees for per-
 mission to erect a wood building. Referred to
 the Wood Building Committee and Fire Marshal
 with power to act.

By Ald. Vay—Petition of teamsters, and
 moved that the petition lie on the table until
 later in the evening. Adopted.

By Ald. Edelman—Bills of
 R. B. Randall, repairing lawn mower..... 4 28
 George C. Maurer, grass seed..... 1 44

Referred to the Park Committee.
 By Ald. Weaver—Bills of
 Citizens' Gas Company, resetting lamp posts.. 126 13
 Gilbert Brady & Co, paving streets..... 54 50

Referred to the Special Committee on Re-
 arranging Lamps.

By Ald. Hart—Bills of
 Geo. W. Aldridge' labor, &c..... 46 05
 Blakely, King & Carey, repairing cells..... 8 43
 Union and Advertiser, printing..... 10 00
 Consumers' Ice Co., ice..... 19 50
 B. Frank Enos, expenses for November..... 9 77

Referred to the Police Committee.

REPORT OF THE POLICE CLERK FOR THE MONTH
 OF NOVEMBER, 1879.

POLICE COMMISSIONERS' OFFICE, }
 Dec. 18th, 1879. }

To the Honorable the Common Council:

GENTLEMEN:—I respectfully report the following as
 the total amount of fines and penalties imposed by the
 Police Justice for the month of November, 1879, to-
 gether with the amount collected:

Nov.	Crime.	Penalty.	Paid.
1—Cath. Iago Crawford	assault	\$25	25
3—Lizzie Hawks	drunk	10	5
Julia Thompson	.. .. .	10	
Peter Harvey	.. .. .	10	
Rosa O'Keefe	.. .. .	10	
Chas. Smith	.. .. .	10	10
Barney Flynn	.. .. .	10	10
James Rice	.. .. .	10	10
Mary Clark	.. .. .	5	

4—James Anderson	.. .. .	5	5
Henry O Brown	.. .. .	5	5
5—Benj Delby	.. .. .	5	
Pat'k Macon	.. .. .	5	
Jane Campbell	via ord	5	5
Nich'l Cummings	.. .. .	10	10
Louis Franks,	dist rel'gs meeting	25	25
6—James Connel	drunk	10	5
Cath. Hussey	.. .. .	5	
Henry Blener	assault	15	15
Marth Sterns	drunk	5	5
Andrew McGrady	.. .. .	5	
7—John K Brown	.. .. .	5	
Kate O'Connor	.. .. .	10	
Amanda Hamilton	.. .. .	10	
Margaret Cline	.. .. .	5	
Louis Ebner	assault	5	
Kerd Staub	.. .. .	5	5
8—Celia Kenny	drunk	5	5
Wm Johnson	.. .. .	5	
10—Alex McCormick	.. .. .	5	5
Wm Brown	assault	20	10
Thos Duffy	drunk	5	
Joseph H Lisk	assault	50	
Julius Lusher	drunk	10	10
11—James Burke	.. .. .	5	
12—Thos Weber	.. .. .	5	5
Joseph Hill	.. .. .	5	5
13—Elmer Fuller	cruelty to animals	1	10
13—Joseph Levi	drunk	10	10
.. .. .	.. .. .	10	
14—Patrick Flannigan	.. .. .	10	10
Irvin R Sheldon	.. .. .	10	5
Louis Kramer	.. .. .	10	10
15—Wm Irvin	.. .. .	5	5
Dani Hill	via ord	10	10
17—John Cotter	drunk	5	
James Taff	.. .. .	5	5
Wm E Jones	.. .. .	10	
Wilson Andrews	.. .. .	5	5
Sarah McCabe	.. .. .	10	
Mich O'Brien	.. .. .	5	5
Thos Sprague	assault	5	5
Mary Page	via ord	10	
Thos Buckley	drunk	10	
John W Tousey	.. .. .	10	
18—Elizaæth Livingston	.. .. .	25	
Hugo F Lenare	petit larceny	10	
Wm Downing	assault	10	
Sam Critchley	drunk	10	
19—Theo Wait	.. .. .	10	
Thos Mack	assault	15	15
Mary Weber	via ord	50	50
20—Benj McCarthy	drunk	10	
Fred Debus	petit larceny	5	5
James Snider	.. .. .	5	5
21—John Carpenter	.. .. .	5	5
Nathaniel S Knapp	cruelty to animals	10	
22—Patrick McMahon	drunk	5	10
Michael O'Maher	.. .. .	10	10
John McDonald	.. .. .	10	10
Ed Hogan	.. .. .	10	10
John H Ellsworth	.. .. .	10	
Wm Schofield	pet lar	Cost	5
24—Rolt Stason	drunk	5	5
Mich McCann	.. .. .	5	3
John Shay	assault	50	
Wm Waugh	pet lar	25	
Mich Hetherman	drunk	5	5
Keron Garrity	.. .. .	25	
Margaret Rosecrantz	pet lar	10	
Frances Hill	drunk	10	10
Henry Nunnold	.. .. .	10	5
25—Sarah Lambier	.. .. .	5	
Hannah Hitch	.. .. .	5	
Alexis Hickey	via ord	5	5
26—John Hilliard	drunk	5	5
Chas Foster	.. .. .	5	5
John Phillips	assault	5	2
27—Jennie Church	drunk	10	10
28—Mich Kemp	.. .. .	10	5
Wm Winslow	.. .. .	5	
Chas Armstrong	.. .. .	10	10
Terry Ferguson	.. .. .	5	5
Albert Soper	assault	5	5
Fines by Commissioners	.. .. .		17

Total.....\$478
 I do hereby officially certify that the foregoing report
 in relation to money received by me for fines and pen-
 alties imposed by the Police Justice for the month of
 November, 1879, is true.

B. FRANK ENOS, Clerk.
 Sworn to before me this 15th day of Dec., 1879.
 PETER SHERIDAN,
 Commissioner of Deeds.

Ordered received, filed and published.
 By Ald. Westbury—Petition for an outlet
 sewer in Genesee Valley Canal. Referred to
 the Sewer Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Otis, from the Health Committee; Ald. Crouch, from the Poor Committee; Ald. Mandeville, from the City Property; Ald. Edleman, from the Park Committee; Ald. Weaver, from the Committee on Rearranging Lamps; Ald. Hart, from the Police Committee, reported favorable on the various bills referred to their respective committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., Dec. 16, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

MONTHLY PAY ROLL FOR DECEMBER, 1879.

E. A. Frost, services to city (less bill of city, \$4.80)	\$15 88
N. T. Hackstaff, printing	42 50
Joseph Corbin, serving notices	32 80
W. I. Hanford, serving notices	8 02
Secretary of State, cert, law	3 70
Union and Advertiser, printing proceedings to January 1, 1880	675 00
Express Printing Co., printing proceedings to January 1, 1880	550 00
Rochester Printing Co., printing proceedings to January 1, 1880	510 00
Rochester Volksblatt, printing proceedings to January 1, 1880	175 00
Rochester Beobachter, printing proceedings to January 1, 1880	175 00
Rochester Star, print. proceeding to Jan. 1, 1880	25 00
And charge to fund.	

POOR DEPARTMENT FUND.

G. Mannell, druggs	\$7 95
Louis Boss, bread	230 45
W. & J. Aikenhead, soap	273 25
Hoffman & Mayer, burials	31 50
Geo. Schofield, transportation	5 54
S. J. Wagoner, delivering coal and wood	609 50
Watters & Co., groceries	3 00
C. E. Woodward, agt.	8 00
A. H. Cork	15 00
Smith, Perkins & Co.	28 80
H. Brewster & Co, sugar	138 69
Davis & Parmalee, copying list of liquor dealers	10 85
And charge that fund.	

CITY PROPERTY FUND.

Blakely, King & Carey, rep. radiators	\$ 5 60
Cutting & Cooney, side wrench	3 00
E. Emerich, repairing city clock	79 75
Howe & Snyder, plumbing	14 21
And charge that fund.	

LAMP DEPARTMENT FUND.

Chas. A. Jeffords, lighting and care of kerosene lamps for Nov.	\$501 88
Howe & Snyder, lamp tops	45 46
Gilbert S. Brady & Co., paving streets	108 61
Citizens' Gas Co., rearranging lamps	83 70
Citizens' Gas Co., error in bill for lighting, &c.	158 40
And charge that fund.	

POLICE DEPARTMENT FUND.

Alex. McLean, disbursements for October	\$ 83 59
November	85 73
And charge that fund.	

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Vay—Resolved, That John H. Jeffries and Robert Morgan have permission to erect wood buildings in accordance with their petitions, under the direction of the Wood Building Committee and Fire Marshal.—Adopted.

By Ald. Hebing—

—ROCHESTER, Dec. 15, 1879.

To the Common Council:

GENTLEMEN: We hand you herewith a copy of the opinion and decision of Judge Rumsey in the case of Smith and others against the city.

You will see that it sustains to the fullest extent the right of the city to control the waters of Hemlock lake. The right to control those of Canadice lake rests upon the same principle. It is unnecessary to advert to the importance of this case and of this decision. While it stands as law (and we have no doubt of its correctness), any action against the city in whatever form growing out of its use of the waters of these lakes for the supply of the city must be unsuccessful.

We take occasion to state that we were greatly aided in the case by the intelligent preparation of facts and stristics bearing thereon by Mr. Tubbs and his assistants, particularly Mr. Nichols.

Yours respectfully,

A. G. HEELER,
W. F. COGSWELL.

To the law committee of the common council.
Rochester, Dec. 15, 1879.

JUDGE RUMSEY'S DECISION

SUPREME COURT—Hiram Smith and others against the City of Rochester. Submitted Nov. 25th, 1879.

This cause having been tried before the court without a jury at an adjourned special term of the court held at Canandaigua, Ontario county, on the 15th day of September, 1879, after hearing the proofs and allegations, I find therefrom the following facts:

1. Hemlock Lake is a body of water situate in Livingston county, New York, about seven miles long, with a superficial area at ordinary low water of 1,323 acres, and distant about thirty miles from the city of Rochester. Canadice Lake is also a body of water in same county, about three and a quarter miles long, with a superficial area at low water of about 945 acres, and distant about a mile from Hemlock Lake. The outlet of Hemlock Lake is at the easterly end of the lake, and, within a mile, it unites with the outlet of Canadice Lake, which is a stream of nearly the same size. After flowing in a northerly direction of about five miles the waters of the two lakes above mentioned unite with Honeoye Creek, the outlet of the Honeoye Lake, and these united waters flow into the Genesee River, about sixteen miles above the city of Rochester.

2. The plaintiffs severally own or operate as lessees from the owners, mills and manufactories of various kinds, situate upon the Honeoye Creek, below its junction with the waters of Hemlock Lake, and operated by the waters of said creek, which mills and manufactories were so in operation for more than twenty years before the construction by the defendant of the water works hereafter mentioned.

3. That in pursuance of an act of the Legislature of the State of New York, entitled "An Act to Supply the City of Rochester with pure and wholesome water," passed April 27th, 1877; the Board of Water Commissioners of the City of Rochester was duly constituted and appointed, and by another act of said Legislature, entitled "An Act to amend the several acts relating to the city of Rochester," passed May 20th, 1877, the said Board was authorized to acquire by purchase for and on behalf of the city of Rochester the title to any lands, waters, lakes, springs, ponds or streams which might be necessary for the purposes for which said Commissioners were appointed, and in and by said act it was further provided, in case said Commissioners were unable to obtain by purchase the title to the necessary lands, waters, &c., for such rights therein as required, they were authorized to proceed to acquire such title or other rights in such lands, waters, &c., in the manner prescribed in and by the act to authorize the formation of railroad corporations and to regulate the same, passed April 2d, 1850.

4. That another act was passed by the Legislature of said State, on the 13th day of June, 1873, entitled "An act to define and restrict the powers of the Board of Water Commissioners of the City of Rochester, in and by the third section of which it was provided that the Board of Water Commissioners of the city of Rochester, appointed under the provisions of act, chapter 387 of the laws of 1872, were authorized to enter upon, control and use as agents of the city of Rochester, the waters of Hemlock and Canadice Lakes, situate in the county of Livingston, for the purpose of securing a water supply for the city of Rochester, and also for the purpose to raise the surface of the water in said lakes not to exceed two feet, and to draw down the said water below low water mark nor to exceed eight feet, also the right to take such measures and make such constructions as should be necessary to secure said waters for the purposes intended, and to protect the same from improper obstructions or pollution from any cause, and also to perform any and all acts relating thereto which may be necessary for the purposes for which the said Commissioners were appointed; and in and by said

this section it was further provided that all the powers thereby granted were to be exercised with due regard to rights of owners of property adjacent thereto or dependent thereon, and that the city of Rochester should be liable to pay to such owners any and all damages caused to said property by the performance of said act, or the exercise of the powers thereby granted.

5. That many years before the time of passage of the last mentioned act, an artificial channel had been constructed by other parties than defendant or its agents at the point near where the outlet from Hemlock Lake commenced, the bed of which was six feet lower than the bed of the natural outlet from the lake.

6. For many years before the passage of said law the Hoppough mills, situate upon the outlet at short distance below the lake, had been in operation and were supplied with water from the lake, which was retained by a dam across the outlet below the junction with the outlet of Canadice lake, the crest of which dam was only two feet lower than the bed of the natural outlet of Hemlock Lake, at the point where same leaves said lake.

7. That the waters of Hemlock Lake are part of the navigable waters of the State of New York, and have actually been navigated by such of the citizens of said State as desired so to do, with scows, steamboats and other craft for over thirty years.

8. That after the passage of said last mentioned law the Board of Water Commissioners of the defendant, claiming to act under the authority therein given, at a very great expense, constructed a bulk head at the artificial channel before mentioned, and placed gates therein to enable them to control the flow of water from Hemlock Lake. They also laid an iron pipe of three feet interior diameter, extending from said lake ten miles toward the city of Rochester, where the size of the pipe was reduced to two feet interior diameter, and the same was continued of that size to said city for the purpose of conveying through the same the waters of said lake to the city of Rochester, and to supply the residents thereof with pure and wholesome water.

9. That the size of such pipe will enable the defendant to draw through the same nine millions per day, if the wants of the city require that quantity, and the waters of Hemlock Lake may be drawn through such pipe until the surface of the lake is reduced six feet below the bed of the natural outlet thereof.

10. That it has not been necessary thus far to draw from said lake for the use of said city to the full capacity of said pipe, and that for the year past the defendant has diverted from the water of said lake through said pipe 4,500,000 gallons daily to the city of Rochester; but the defendant claims the right, and when the necessities of the city require the same, intends to divert the waters of said lake to said city to the full capacity of said pipes for that purpose.

11. That at all seasons of the year, except during the dry weather in the summer and fall, the waters flowing down the Honeoye creek were sufficient for use in propelling the machinery of the plaintiffs, and except during such dry weather such use was not materially affected by the amount of water diverted by the defendant from Hemlock Lake.

12. That before such diversion by the defendant the waters flowing in such creek during the dry portion of the season furnished but a scant supply for said mills and machinery of the plaintiffs, and when said mills and machinery lay still over Sunday, those lower down on the stream were compelled to delay starting until those above were in operation and the water therefrom was allowed to pass to those below. The same difficulty existed after the defendant commenced diverting the water from Hemlock Lake as aforesaid.

13. At the same time the said Board of Water Commissioners erected the bulkhead and gates at the outlet of Hemlock Lake, they also deepened the outlet of Canadice Lake, at the lake, and erected therein a bulkhead and gates, by means of which the waters of Canadice Lake were retained while there was an abundance, and defendant was enabled, and did, when the dry season came, discharge the water so retained in said lake into the outlet until the water of said lake was reduced eight feet below the ordinary high water mark therein, and that the supply thus furnished for the use of the mills and machinery of the plaintiffs on Honeoye Creek was more uniform and nearly or quite equal in quantity to the usual and natural flow of water in said creek during the dry season. That such erections at the outlet of Canadice Lake were so made by said commissioners expressly to supply to the plaintiffs during the dry season water for their mills and machinery in place of that taken from Hemlock Lake through the said pipe for the use of the city.

14. That said Board of Water Commissioners have exercised all the powers granted to them in and by the third section of the act of 18th of June, 1873, with due regards to the rights of owners of land adjacent to said lakes or defendant thereon.

15. That the defendant has used so much of the water of Hemlock Lake so by it taken to the City of Roches-

ter as was necessary for the domestic use of the inhabitants thereof for that purpose, and has allowed divers manufacturing establishments in said city to use the residue not used for domestic purposes, and has received pay from such establishments for the use thereof.

16. That Hemlock Lake and Canadice Lake are both located within that portion of the territory of the State of New York which was the subject of dispute between the States of New York and Massachusetts and which is described in the compact or agreement made by the Commissioners of said States at Hartford, in the State of Connecticut on the 16th day of December, 1786.

CONCLUSIONS OF LAW.

I find as conclusions of Law from the foregoing facts the following

1. That the people of the State of New York were at the time of the passage of the law of 18th June, 1873, in their sovereign capacity the absolute owners of Hemlock Lake, including the waters therein and the land under the same, and had full right at their pleasure to grant and convey the same to the defendant.

2. That in and by the provisions of the third section of the law of 18th of June, 1873, aforesaid, the people of the State of New York granted to the Board of Water Commissioners of the city of Rochester, and to the defendant full power to enter upon, control and use the waters of Hemlock Lake and Canadice Lake for the purpose of procuring a water supply for the city of Rochester, and by virtue thereof the defendant had full power and authority and legal right to divert the waters of Hemlock Lake as fully as it has diverted the same.

3. That the defendant is entitled to judgment and that the plaintiffs' complaint in this action be dismissed with costs.

Judgment is so ordered.

D. RUMSEY, Justice Supreme Court.

JUDGE RUMSEY'S OPINION.

SUPREME COURT—Hiram Smith et al. agt. the City of Rochester. Tried at Ontario Adjourned Term September, 1879, and submitted November 25, 1879.

Messrs. Bacon & Angle for plaintiff. Messrs. Cogswell & Wheeler for defendants. Rumsey, J. Hemlock lake, a body of water seven miles long, is located in Livingston county, distant some thirty miles from the defendant and is not only susceptible of navigation but has for many years been actually navigated by rafts, scows and steamboats for passengers and the transportation of the various productions of the county from one point to another upon its shores. The water, after flowing nearly a mile, unites with the outlet of Canadice lake and the waters of the two, after running some five miles further, intersect the outlet of Honeoye lake and these waters constituted Honeoye creek. The plaintiffs severally own or occupy mills and machinery located on Honeoye creek, and the defendant has diverted the waters of Hemlock lake, a body of water of over twenty years before 1874. The defendant since 1873 has laid pipes, at an expense of several millions of dollars, from Hemlock lake to the city of Rochester, to supply it with pure and wholesome water, which have a capacity to take from the lake 9,000,000 gallons daily, if the wants of the city shall require so much, but at present only half that quantity is taken. Honeoye creek during the dry season of the year furnishes a scant supply of water for the plaintiffs' mills, and the defendant has deepened the outlet of Canadice lake, and erected across it a bulkhead with gates, by means of which it is enabled to retain the waters of that lake until the dry season, when they are discharged into Honeoye creek in a steady flow, which, the defendant claims, furnishes to the plaintiffs a better and more equable flow of water than they before had, notwithstanding the diversion by the defendant of the waters of Hemlock lake. The plaintiffs ask for a mandatory injunction requiring the defendant to restore the flow of water so taken from the outlet.

The defendant insists that as the plaintiffs did not move while it was spending large sums of money in the construction of the works complained of, they ought not now to have a mandatory injunction as they ask in their complaint. In other words, it says that the enormous loss to which it will be exposed, and the very serious inconvenience its inhabitants will suffer by depriving them of water, so far exceed any inconvenience or loss the plaintiffs will be subjected to, that the relief for which they demand and they be severally left to their action at law for remedies against the acts of the defendant. The granting or withholding of interlocutory injunctions rests largely with the courts, with which appellate courts rarely interfere unless in cases of clear abuse of such discretion. With regard to perpetual injunctions, the defendant seeks to have the court do an error to wrongfully grant or refuse such injunction

which the court on appeal will review. [High on injunctions, section 16.] In the case under consideration, if the act of the defendant in dividing the water of Hemlock Lake is a violation of plaintiff's rights, the wrong is a continuing one which will increase in magnitude as the wants of the defendant shall call for more water. It would be a very ineffectual remedy to require each plaintiff to bring his action at law to recover his damages and repeat such action day by day, for he could not in one action recover for any prospective damages. The remedy by perpetual injunction is intended to obviate such extensive litigation as must necessarily result in this case if defendant's acts are unlawful, and it seems now to be fairly engrained upon the remedial law of the State. It was so used in *Corning vs. Troy Iron and Nail Factory*, 40 N. Y. R. 191, when the Special Term refused a perpetual injunction on the distinct ground that it was inequitable to allow it. The Court of Appeals reversed the judgment and ordered a mandatory injunction requiring a restoration of the water. In the *West Point Iron Company against Raymond*, 45 N. Y. R. 703, Judge Allen says equity will interpose by injunction to prevent encroachments upon the rights of a proprietor of a running stream, and will exercise jurisdiction to compel the restoration of water to its natural channel.

The more material question in the case is whether the defendant in the construction of its water works has done any act of which the plaintiff may legally complain. If the plaintiffs are as they insist, the ordinary riparian owners of the lands they occupy bordering on the Honeye creek, which does not appear to be a navigable stream, they have the right to insist that the natural and ordinary flow of its waters shall continue unobstructed, and that the act of the defendant in diverting 4,500,000 gallons daily from the stream is unwarranted and a violation of their rights, unless done under the authority of superior power, in which the claims of the riparian owners must yield. The defendant is not at liberty to say, "True, I abstract from the creek a large portion of its ordinary flow, but I furnish you otherwise as full supply and more equable flow than the natural stream supplies." It cannot change the absolute rights of the plaintiffs without their assent, and defend the act on the ground that it furnishes an equivalent. *People vs. Vanderbit*, 38 N. Y. R. 297. *Crocker vs. Bragg*, 10 Wend 260—41 Con. 57. The defendant, however, claims to justify its action in diverting the water of Hemlock lake under authority derived directly from the State. By the provisions of section 3 of chapter 754 of the laws of 1873, the defendant was authorized to enter upon and use the waters of Hemlock lake and Canadice lake for the purpose of procuring a water supply for the city of Rochester, with power to raise the surface of the water in said lakes not to exceed eight feet; also the right to take such measures and make such constructions as shall be necessary to secure said waters for the purpose intended, and to protect the same from improper obstruction or pollution from any cause, and to perform any acts relating thereto which may be necessary for the purposes intended. All the above powers hereby granted to be exercised with due regard to the rights of owners of property adjacent thereto or dependent thereon, and the city of Rochester shall be liable to pay such owners any and all damages which may be caused to said property by the performances of said acts or the exercise of the powers thereby granted. If the State of New York had power to grant the water of Hemlock lake, the effect of this statute is to give full authority to the defendant to do all the acts it has done for the purpose of diverting those waters. There was never any doubt that the state, in its sovereign capacity, had the absolute right to all the navigable waters within its borders and of the land under waters, but there has been much diversity of opinion as to the proper application of this rule. By the civil law all rivers and ports belonging to the public, and also the banks of the rivers as well as the sea, and this was held to apply to all navigable waters which were capable of being used by the public and over which rafts or other floats could be transported—2, *Domat civil and public law*, book 1, title 8, section 2, p. 7-8-7. The term navigable waters by the rule of the common law had a much more restricted signification, and was held to include only those into which the tide ebbed and flowed. The legal nature of this State, in view of the many large streams and lakes scattered over it, which were far removed from the sea and not affected by its ebb and flow, evidently deemed the rule of civil law best adapted to the wants of the State and very early exercised the power of selecting such of those streams as in its judgment were suitable for navigation and fit for public use, and by statute declaring them to be public highways. These statutes were frequent both before and since the year 1821, and it cannot therefore be claimed that those passed before that time were but the exercise of the powers of that body over the property

of the State unrestrained by constitutional restriction. The constitution of 1821, first in this State, provided that private property should not be taken for public use without just compensation, and the Legislature after that time declared such streams public highways, without making any compensation to riparian owners, or in any way intimating that such owners of the banks had any rights in the stream itself which it was bound to respect. These laws were more frequent in the earlier days of the state, when the use of such streams was necessary for floating lumber and other products of the country to a market. Since canals and railroads have rendered safe and more expeditious means of transportation of the commerce of the state, the use of the streams for that purpose has, to a large extent, closed, and they have been left to be used by their riparian owners at their pleasure. These statutes thus passed by the state, and by which is assumed the control of streams far beyond the ebb and flow of the ocean were but the exercise of its sovereignty over them as navigable waters, and it was done, not in subversion to, but in derogation of the claims of the owners of the banks. No riparian owner ever claimed the right to construct a dam, or otherwise interfere with the flow of a stream thus declared a highway, without leave from the state and its power over them was unquestioned. The right of the public in the stream did not depend upon the statute, but upon the fact whether it was capable, in its natural state, for a portion of the time of each year, of transporting to market the products of the forests and mines, or the tillage of the soil upon its banks. If it was so, it was navigable water, and the public had the right of way without any statute; and, if it were not so, no statute declaring it a highway, which did not also provide for compensation of the riparian owners would be unconstitutional and void. (*Morgan vs. King* 35 N. Y. 454.) While the legislature was thus insisting upon the broad and liberal rule of the civil-law the courts, for a long time, urged with equal pertinacity that the common law rule prevailed in this state and held that the term navigable waters applied only to such streams as were subject to the ebb and flow of the sea. (*People vs. Platt* 17 John R. 195; *ex parte Jennings* 6 Cowan R. 518.) See also the various authorities on this question in the note to the case of *Arnold vs. American*, decisions p. 365. Since the decision of the Court of Appeals in the *People vs. Canal Appraisers* 83 N. Y. R. 461 this conflict of opinion between the legislative and judicial power of the State is of no other consequence than to show that the claim made by the legislature extended to the navigable lakes as well as to the navigable rivers of the State, and although the case last cited arose in regard only to the waters of the Mohawk river, yet the principle of the decision applies with equal force to the navigable lakes of the State. Judge Davis, in his learned and exhaustive opinion in the case, shows that the legislature has for over sixty years claimed and actually exercised over the navigable lakes of the State the same powers which it has exercised over the navigable rivers, and refers to the various statutes by which that fact is established. (See page 466.) Since the discussion of this last case, I think it must be held to be settled law in this State, that the State in its sovereign capacity is the absolute owner of not only the navigable rivers but of the navigable lakes of the State as well as the lands under such waters, whether they are subject to the flow of the tides or not. This decision also renders it unnecessary to refer to an attempt to reconcile a large number of other cases in this State, and particularly those which, like *Hooker vs. Cummings*, 20 John R. 89, hold that navigable streams beyond the influence of the tides of the ocean belong to the owners of the banks, also held them to be subject to a public servitude for the passage of boats over them. These cases have all ceased to have any bearing upon the law of navigable waters, and the case of *Leayard vs. Ten Eyck*, 36 Barbour, 102, is put by the Court distinctly upon the ground that *Cazenovia* lake is not a navigable river, which the Court in its absolute ownership of Hemlock lake, the Legislature was at all times at liberty to appropriate the same to the public use, or at its pleasure to grant the same to other parties. *Gould vs. Hudson River Railroad Company*, 2 Selden, 522; *People vs. Tibbetts*, 19 N. Y. R., 527-8. The State of Pennsylvania holds the same rule in regard to navigable rivers which the Court of Appeals adopted in the 83, N. Y. R., 461; and it was held in *Quehanna Canal Company vs. Wright*, 9 W. & S., 9, that the State would authorize a canal company to divert the waters of a navigable river even against one who, under a license from the State, had erected valuable mills upon it, and the court say he was bound to know the State had power to revoke the license whenever the paramount inter-

est of the public should require it, and the owner was not entitled to any damages for such diversion.

The plaintiffs insist against the right of the defendant to divert the waters of Hemlock lake under the authority of the act that the people had, long before the passage of the law of 1873 parted with all right to control its waters, and, therefore, nothing passed under the law to the defendant. This claim of the plaintiffs is founded upon the somewhat celebrated compact or agreement entered into between the States of New York and Massachusetts in December, 1784. The lands which are the subject of that agreement embrace Hemlock lake, and it is insisted that the language by which the fee of that land was transferred by New York to Massachusetts is broad enough to transfer all to the latter all the waters, navigable or otherwise, within the ceded territory, discharged of all the attributes of sovereignty on the part of New York over such waters. A brief reference to the circumstances under which that compact was made will show the fallacy of this claim. James I of England granted to Plymouth council certain lands, and Plymouth council subsequently assigned interest in the patent to Sir Henry Cosby, and the same lands were subsequently confirmed to Roswell and his associates by Charles I. At the revolution, Massachusetts succeeded to all rights under these patents and claimed that within its boundaries was included a considerable portion of what is now the State of New York. This claim was urged before Congress which proceeded to settle the controversy between the two states in the manner provided for in the ninth of the old articles of confederation between the states. The two states, wearied with the tedious formality of the proceedings before a tribunal thus constituted, each appointed commissioners who met at Hartford, Conn., in December, 1784, and agreed upon a compromise of the matter, the details of which are included in the compact referred to, and this settlement was finally ratified and approved by Congress. See journal of Congress of Confederation, volume 4, page 739. Hildreth's history of the United States, volume 3, page 591. By the first article of the compact, Massachusetts formally ceded to New York all right and claim which she had to the government, sovereignty and jurisdiction over the land and territory so claimed by New York, and by the second article New York grants and releases to Massachusetts and her grantees the right of pre-emption of the soil from the native Indians and other the estate, right, title and property (the right and title of government sovereignty and jurisdiction excepted) which the State of New York had in and to the disputed lands. By other articles of the compact the subject of taxes upon the land is provided for, and it is especially agreed that Massachusetts upon a transfer of the land shall not reserve any rents or services and by the sixth article the citizens of Massachusetts are to have an equal right with the citizens of New York to navigation and fishing on Lakes Erie and Ontario and the waters communicating from one to the other of said lakes. The Indians had no title to the lands which carried with it any of the incidents of sovereignty, for it was the mere right of occupancy of the soil as the wards of the state without legal title or political power, 3 Kent's Com. 2d ed. 378. Jackson vs. Hudson, 3d Johnson's report, 375; Fletcher agr. Peck, 6th Crouch, 142-143. From these facts it is apparent that the compact was only a political arrangement, entered into for the purpose of settling a disputed boundary between the States, by which New York, instead of parting with any of the incidents or attributes which pertained to her as a sovereign State, carefully provides that they are all preserved to her in express and unequivocal terms. Indeed these rights of sovereignty thus secured to her are the only consideration received under the agreement, and it is utterly improbable that she would have entered into any arrangement in regard to that territory by which she would have been divested of her supreme power over it or any part of it. The right of fishing and navigation reserved to the citizens of Massachusetts by the sixth article is a right which under the construction insisted upon by the counsel for the plaintiff would have passed to Massachusetts without reservation, and the fact that it is saved to her by that article is a very satisfactory indication that she did not expect any other control over the navigable waters of the territory than such as she expressly stipulated for. It is also the rule that in the construction of all grants in derogation of the rights of the public, nothing is to be taken by implication. In the Susquehanna Canal Company vs. Wright, 9 W. & S., 9, it is held that the State as never presumed to have parted with one of its franchises in absence of conclusive proof of intention so to do. The case ex parte Jennings, 9 Cowans 517, while it must be conceded, as overruled by the 33d N. Y. Reports, as to what are navigable streams, holds that a grant bounded on the margin of

such streams cannot be extended by construction further than high water mark, and leaves an absolute proprietary interest in the State to the streams, page 528, and this principle is recognized and approved by the case 33 N. Y. Reports 490. See also Royal Fishery of Banne, Davis Reports 157; Lansing vs. Smith 4th Wendell, 9-23-28. Runded vs. Delaware and R. Canal, 14th Howard, U. S. R. 80. Chas. River Bridge Co. vs. Warren Bridge, 11 Peters U. S. 535. Whatever right the State could have over the territory in question by virtue of her sovereignty must, I think, be held to be retained by her as fully as she has such right over any other portion of her territory.

There is nothing in the provisions of the third section of the laws of 1873 which requires the power there by granted to be exercised with due regard to the rights of owners of property adjacent thereto or dependent thereon, which tends to limit the grant of power to the defendant over the waters of the two lakes. That provision recognizes no right in any parties to the waters of the lake or any part, of them, nor does it reserve any rights in such waters to anyone and it was probably inserted for greater caution and to avoid all process that the State intended the defendant could raise the water and lay pipe under the surface of the lands lying between the lake and and Rochester without being responsible for damages to those whose rights would be injuriously affected thereby. The plaintiffs are not, so far as appears from the evidence, the owners of any property adjacent to where such powers are to be exercised, and having no legal interest in the waters of Hemlock lake, are not the owners referred to in this provision.

The claim of rights by the plaintiffs, based upon the long continued use of the waters of Honeoye creek for operating their mills, is not well founded. It is an essential element of a prescriptive right that it should be adverse to the interests of those against whom it is urged, and the right claimed should be exercised under such circumstances as to give notice to those whose interests are so adversely affected. The State owned the water of Hemlock lake, and had always exercised the right to discharge the surplus waters down the outlet which by its natural flow carried it over the plaintiff's premises. When the water thus passed out of the lake the State abandoned its ownership over it, and the plaintiff had the right to use so much as was thus abandoned. This abandonment of a portion of such water imposed no obligation upon the state to abandon other portions of it, and if the plaintiff chose to construct mills dependent to any extent for their value upon the continual flow of that water, they did it at their peril, and were bound to know the state had the right to restrain such flow when the paramount interests of the state required it. — The plaintiffs' claims in this respect seem to be an effort to convert what is in truth a legal servitude upon their premises into an absolute right. If the plaintiff, instead of using the water after it was abandoned by the state for the supply of their mills, had constructed a ditch leading directly from the lake it would have been a claim of right to use the waters of the lake adverse to the rights of the state and of which the state would be required to take notice. Such diversion continued long enough, under circumstances indicating a belief in its justice must ripen into a title to continue it. Crill vs. City of Rome, 47 How. P. R. 333. But the plaintiff can hardly be allowed to pick up a portion of the state's abandoned property, and then insist it shall abandon other portions of its property for their use.

The defendant is entitled to judgment that the complaint be dismissed with costs.

Ordered received, filed and published.

By Ald. Crouch—Resolved, That the Poor Committee be instructed to let the yard on Hill street, now occupied by the city, to S. J. Wagoner for the sum of \$25, excepting such portion that the city does want for its use until April 1st, 1880.

Ald. FitzSimons moved as an amendment that the yard be leased for the amount named until the expiration of the city's lease.

Accepted by Ald. Crouch and the resolution was adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—

Communication of Wile & Wile in regard to the claim of Otto Zern for damages. Referred to Law Committee.

ROCHESTER, Dec. 16, 1879.

Hon. Cornelius R. Parsons, Mayor of the city of Rochester:

DEAR SIR—I hand you herewith the motion papers in the matter of the application of J. Herbert Shedd for a writ of mandamus.

I am instructed to say that if Mr. Shedd's bill is paid no costs will be charged the city.

Yours, very respectfully,

W. F. COGSWELL.

SUPREME COURT.—In the matter of the application of J. Herbert Shedd.

Take notice: That upon the annexed affidavits I shall move this Court at the next Special Term thereof, appointed to be held at the Court House in the city of Rochester in and for the county of Monroe on the 29th day of December, 1879 at the opening of Court on that day or as soon thereafter as counsel can be heard, for a mandamus directing the Common Council of the City of Rochester to pay the bill of J. Herbert Shedd in said affidavits mentioned.

Dated Dec. 16, 1879.

Yours &c., W. F. COGSWELL,
Atty. for J. H. Shedd.

To the City of Rochester.

STATE OF RHODE ISLAND,
City and County of Providence. } ss. :

J. Herbert Shedd of the city and State aforesaid, being duly sworn, deposes and says that he is a civil engineer and has been actively engaged in service in the different departments of that profession, in charge of works of great magnitude and cost and requiring great skill in their construction, for many years; that for a considerable number of years last past he has devoted his attention and practice to a large extent to sanitary engineering, embracing the sewerage of cities and towns: and that during that period he has visited and examined the sewer systems of many cities in this country, in Great Britain and on the Continent of Europe, for the purpose of fully informing himself in regard to the latest and best devices in sanitary science.

And deponent further says that on or about the first of February, 1879, he entered into contract with J. Nelson Tubbs and Dr. E. M. Moore—they claiming to be members of the Sewer Committee of the Board of Health of the city of Rochester, N. Y.,—to visit the said city as an expert sanitary engineer to examine and advise with them relative to a general plan of sewerage for said city on the following terms, to wit: for his services, at the rate of fifty dollars per day and necessary expenses that in pursuance of said agreement he did on or about the 18th day of February, 1879, visit said city and perform the said service as agreed upon; that he was engaged in said service for a period of seven days, exclusive of Sundays, and that his necessary expenses amounted to fifty-three dollars and sixty-five cents; and that said service and expenses as per agreement amounted to four hundred and three dollars and sixty-five cents. And deponent further says that the price charged for said services is not excessive, but, on the contrary, is a moderate price and not more than deponent is accustomed to charge and receive for similar service in other cities and towns.

And deponent further says that he has caused his said account for service and expenses to be presented to the Common Council of the city of

Rochester for payment, but that he has received payment for no part or portion thereof.

(Signed) J. HERBERT SHEDD.

Subscribed, sworn to and taken before me at Providence, Providence County, Rhode Island, this 13th day of December, 1879.

(Signed) THOS. D. DEMING,
Justice of the Peace.

STATE OF RHODE ISLAND,
City and County of Providence. } ss. :

I hereby certify that Thos. D. Deming of the City and County of Providence and State of Rhode Island was at the time of taking the annexed affidavit a Justice of the Peace in and for the city of Providence and that such Thomas D. Deming as Justice of the Peace aforesaid was at the time aforesaid, duly authorized to take the acknowledgement and proof of deeds and that I believe the signature of the said Thomas D. Deming to be genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the State of Rhode Island this 13th day of December 1879.

(Signed) JOSHUA M. ADDEMAN.
[Seal] Secretary of State.

[COPY]

STATE OF NEW YORK,
Monroe County, } ss.
City of Rochester,

I, J. Nelson Tubbs, of said, city, being duly sworn deposes and says that he is a member of the Board of Health of said city and was so on the 10th day of October, 1877; that on that date the Common Council of said city passed a resolution appropriating a sum not exceeding \$3,000 for the purpose of preparing a plan of sewerage for the city of Rochester, the work to be done and the expenditures made under the direction of the joint Committee on Sewers of the Common Council and Board of Health; that soon thereafter the said joint committee on sewers held a meeting, at which all the members were present, and agreed upon a plan of procedure, which plan included the employment of an engineer to prepare maps, plans, &c., and also the employment of some eminent sanitary engineer, as an expert, to examine said maps and plans and decide as to their correctness and sufficiency. And deponent further says that at said meeting of the joint committee a sub-committee, consisting of Aldermen Tracy and Herzberger, was appointed to carry out and set in operation the arrangements and details for the commencement and progress of the work as agreed upon in joint committee. And deponent says that at a subsequent meeting of said joint committee, a majority being present, Aldermen Tracy and Herzberger resigned from said sub-committee, and on motion of Ald. Tracy, E. M. Moore and J. Nelson Tubbs were appointed in their stead as said sub-committee. And deponent further says that under the power thus conferred the said sub-committee secured the services of engineers and caused the work to progress, and under authority of a resolution of the Board of Health passed Nov. 22, 1877, the expenditures therefore were audited by the Board of Health and referred to the Common Council for payment and by the said Council paid out of the fund set apart for use by the Board of Health, and said payments continued to be so made by the Common Council without objection up

to April 1st, 1879, and at that date less than one-third of the appropriation had been so used, as deponent is informed and believes. And deponent further says that in the latter part of the year 1878, or early in 1879, said sub-committee, in conformity with the plan adopted by the joint committee, engaged the services of J. Herbert Shedd of Providence, R. I., as sanitary engineer and expert to examine the maps and plans so far as prepared and decide as to their sufficiency, &c., and agreed that he should receive at the rate of fifty dollars per day, and his necessary expenses for said service; that in conformity with this agreement said Shedd was employed seven days in said service.

And deponent further says that said Shedd presented his sworn bill for services and expenses, amounting to \$403.65, to said sub-committee, who caused it to be audited by the Board of Health, and by them referred to the Common Council for payment; that said bill was referred by the Common Council to the Law Committee, who reported favorably upon it and recommended its payment; that the report of the Law Committee was disagreed with and payment refused.

(Signed) J. NELSON TUBBS.

Subscribed and sworn to before me this 15th day of December, 1879.

(Signed) GEORGE B. HARRIS,
Commissioner of Deeds.

[COPY.]

STATE OF NEW YORK, }
Monroe County, } ss.
City of Rochester, }

E. M. Moore, of the city of Rochester, and County and State aforesaid, being duly sworn deposes and says that he is a member of the Board of Health of said city, and was a member of said Board on the 10th day of October, 1877; that on or about that date he made an application to the Common Council of said city to have a fund of \$3,000 set apart for the purpose of preparing a general plan of sewerage for said city, that on that date the Common Council did appropriate a sum not exceeding \$3,000 for said purpose, providing that the work done and expenditures made should be under the direction of the joint committee of the Sewer Committee of the Common Council and Board of Health; that soon after that date a meeting of said committees was held at which all the members were present, and organized by the election of this deponent as chairman, and J. Nelson Tubbs Secretary, and the election of Aldermen Tracy and Herzberger as a sub-committee to make all necessary arrangements for the commencement and progress of the work; that said sub-committee, after doing some preliminary work did, at a subsequent meeting of the said joint committee, at which a majority of members were present, resign, and, on motion of Ald. Tracy, this deponent and J. Nelson Tubbs were elected as sub-committee in their stead.

And deponent further says that, under the authority thus conferred by the joint committee, said sub-committee secured the services of engineers and, under their supervision, caused the work of preparing a plan of sewerage to proceed; that in pursuance of a resolution of the Board of Health, passed Nov. 22, 1877, the expenditures therefor were from time to time audited by the Board of Health and paid by

resolution of the Common Council out of the fund set apart for the use of the Board of Health, and that these payments were continued to be made by said Common Council without objection until April 1st, 1879.

And deponent further says that during the latter part of the year 1878, said sub-committee had correspondence with several sanitary engineers of great ability and reputation, as to what price per day would be charged by them to act as consulting engineer for a short period in supervising the work on said plan, so far as it had progressed; that the services of J. Herbert Shedd were finally engaged, at fifty dollars per day and necessary expenses, a price as moderate as any of those corresponded with had named. And deponent says that the securing the services of such an engineer was part of the plan agreed upon originally by the joint committee of the Common Council and Board of Health on Sewers.

And deponent further says that Mr. Shedd came to Rochester, in accordance with said agreement, and performed the service agreed upon in a satisfactory manner, and was engaged in said service for a period of seven days.

And deponent further says that said Shedd presented his bill for said service and expenses amounting to \$403.65, properly sworn to, to said sub-committee, who presented the same to the Board of Health, and was by it audited and referred to the Common Council for payment.

And deponent further says that the Common Council referred said bill to its Law Committee, who reported favorably on said bill, and recommended its payment; that the City Attorney concurred in such opinion and recommendation, but that said report was disagreed with and the bill rejected.

(Signed) E. M. MOORE.

Subscribed and sworn to before me the 15th day of December, 1879.

(Signed) J. NELSON TUBBS,
Commissioner of Deeds.

[COPY]

STATE OF NEW YORK, }
Monroe County, } ss.
City of Rochester, }

William H. Tracy, of the city of Rochester, Monroe county and State of New York, being duly sworn, deposes and says that on the 10th day of October, 1877, he was a member of the Common Council of the city of Rochester, N. Y., and a member of the Sewer Committee thereof; that on that date the Common Council of said city passed unanimously a resolution appropriating a sum of money not exceeding \$3,000.00 for the purpose of preparing a plan of sewerage for the city of Rochester, the work to be done and expenditures made under the direction of the joint Committee on Sewers of the Common Council and the Board of Health; that very soon after the passage of said resolution the said joint committee held a meeting, at which all the members were present, and organized by the appointment of Dr. E. M. Moore as President and J. Nelson Tubbs as Secretary; that at said meeting this deponent and Alderman Herzberger were appointed a sub-committee to secure the services of an engineer and make all necessary arrangements for the commencement and prosecution of the work; and a general plan of procedure was agreed upon, including the eventual employ-

ment of a sanitary engineer for a short period to supervise the plans which might be prepared; that said sub-committee attempted to secure the services of the City Surveyor, but failed to do so, on which the joint committee was convened and a report made, at which time this deponent and Alderman Herzberger resigned from said subcommittee, and on motion of this deponent, Dr. E. M. Moore and J. Nelson Tubbs were appointed as said sub-committee in our stead, with the same powers as the original sub-committee.

(Signed) WILLIAM H. TRACY.

Subscribed and sworn to before me, this 15th day of December, 1879.

(Signed) EDWARD ANGEVINE,
Com'r of Deeds.

[COPY.]

STATE OF NEW YORK, }
Monroe County, } ss.
City of Rochester. }

Frederick C. Lauer, Jr., of the said city of Rochester, being duly sworn, deposes and says that on the 10th day of October, 1877, he was a member of the Common Council of said city, and a member of the Sewer Committee thereof, and also a member of the Board of Health; that on that date the Common Council of said city passed a resolution appropriating a sum not exceeding \$3,000 for the purpose of preparing a plan of sewerage for said city, the work to be done and expenditures made under the direction of the joint committee on sewers of the Common Council and Board of Health; that soon thereafter the said joint committee held a meeting, all being present, and organized by appointing Dr. E. M. Moore chairman, and J. Nelson Tubbs secretary, and Aldermen Tracy and Hertzberger a sub-committee, to secure the services of engineers and make general arrangements for the commencement and prosecution of the work.

And deponent further says that said joint committee agreed upon a plan for the prosecution of said work, including among other details the employment of some eminent sanitary engineer to advise in regard to the correctness and sufficiency of said plan. And deponent further says that thereafter he ceased to be a member of either the Common Council or Board of Health.

(Signed) F. C. LAUER, JR.

Subscribed and sworn to before me this 15th day of December, 1879.

(Signed) GEORGE B. HARRIS,
Commissioner of Deeds.

Ordered received, filed and published.

Ald. Westbury moved that Ald. FitzSimons be required to give bonds indemnifying the city for costs, &c., in the above suit.

Ald. Hart moved that the motion lie on the table. Adopted by the following vote:

Ayes—Ald. Tracy, Otis, Warren, Hebing, Chambers, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—11.

Nays—Ald. Westbury, Crouch, Chace—3.

Ald. Tracy moved that the whole matter be transferred to Ald. FitzSimons to employ counsel and conduct the suit as he may deem for the best interest of the city. Adopted.

By the Clerk—

CITY CLERK'S OFFICE, }
ROCHESTER, Dec. 16, 1879. }

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

In accordance with section 29, Revised City Charter, I report the following named persons as having qualified and taken the oath of office:

ASSESSOR.

David McKay.

COMMISSIONER OF DEEDS.

David T. Worcester, John H. Folley,
Wm. M. Westbury, L. H. Gillette,
George Herberling.

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.

ACTION ON ORDINANCES.

PLANK WALK ON BAY STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet and eight inches wide on the north side of Bay street, in front of school lot No. 25.

The Surveyor submitted as such estimate, \$40.00.
By Ald. Wickens—Resolved, That the following improvement is expedient, viz:

The construction of a plank walk four feet and eight inches wide on the north side of Bay street, in front of school lot No. 25.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$40.00, which estimate is hereby approved.

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

School lot No. 25.
And the Clerk is hereby directed to publish notice in pursuance of title VII, section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, Dec. 30th, 1879, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.
Adopted.

Ald. Westbury in the chair.

FINAL ORDINANCE No. 2,090.

GRADING THE STREET THROUGH THE HAIR PROPERTY.

On motion of Ald. Wickens 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. Wickens submitted the following:
The Common Council of the City of Rochester do ordain and determine as follows:

The grading of the street through the Hair property, from East Main st. to Goodman st.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor under the direction of this Council, having made an estimate of such expense, and reported the same at \$550.00, which estimate is hereby approved; 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 East Main street, from Franklin street to the N. Y. C. & H. R. RR. Co.'s property; also, the territory described by and enclosed within the following described boundary lines:—Commencing at the intersection of East Main street and Goodman street, thence northerly on Goodman street and including one tier of lots on the west side thereof to Bay street, also the lot on the northwest corner of Bay street and Goodman street, thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line, thence southerly along the city line to the northerly line of the N. Y. C. & H. R. RR. Co.'s property, thence westerly along the northerly line of the N. Y. C. & H. R. RR. Co.'s property to Goodman street, thence northerly on Goodman street to the place of beginning; also the property lying on the southerly side of the proposed street, known

as the Wamsley property; also the lands through which it is proposed to grade the new street, known as the Hair property.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver, Knobles, Hart—13.

The final ordinance for a sewer in Exchange street was presented. Ald. Tracy presented a remonstrance. Ald. Chace moved that the ordinance lie on the table until the next regular meeting. Adopted.

The final ordinance for extending Lake avenue outlet sewer was presented. A remonstrance was presented against the ordinance.

Ald. FitzSimons moved that the whole matter lie on the table until the next regular meeting, and that the City Attorney present an opinion as to the legality of taking property for the sewer to pass through.—Adopted.

FINAL ORDINANCE NO. 2,091.

PLANK WALK ON THOMPSON STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on Thompson street, from Costar street to a point 500 feet north thereof.

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

The construction of a plank walk, four feet and eight inches wide, on the west side of Thompson street, from Costar street to a point 500 feet north thereof, except where good plank walks now exist.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$150, which estimate is hereby approved; 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 Thompson street in front of which the said plank walk may be constructed.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINAL ORDINANCE NO. 2,092.

PLANK WALK ON WEST SIDE OF PARK PLACE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk on Park place from Troup street to West avenue.

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

The construction of a plank walk four feet wide on the west side of Park place, from Troup street to West avenue; also the necessary crosswalks.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$290, which estimate was and is hereby approved; 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 Park place from Troup street to West avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Aye—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

UNFINISHED BUSINESS.

By Ald. FitzSimons—Whereas, Section 249 of title 11 of the city charter relating to public health, confers upon the Common Council of the city of Rochester authority to take such measures as they shall deem effectual to prevent the entrance of any pestilential or infec-

tious disease into the city, and to send persons infected with any such disease to the pest-house, &c.; and

Whereas, The Board of Health of said city has heretofore assumed to act, and to see that the provisions of said section have been fully carried out and complied with; therefore,

Resolved, That the Board of Health of the city of Rochester be and they hereby are authorized and empowered to see that the provisions of said section are from time to time enforced as the circumstances, in their judgment, may require.

Ald. Otis moved that the communication lie on the table for two weeks. Adopted.

By Ald. Chace—Resolved, That the committee on the city's rights and claims in connection with the State Line Railway Company be and they are hereby instructed to cause the pending suits to be discontinued, and to seek to harmonize the interests of the company and the city, and the City Attorney is hereby instructed to discontinue said suits.

Ald. Chace moved that several citizens be heard.

Ald. Mandeville objected.

Ald. Hart moved as an amendment that each person be allowed to speak on the question ten minutes.

Ald. Warren moved as an amendment to the amendment that no person be allowed to speak who has been heard on the subject before.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver, Hart—9.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Edelman, Knobles—7.

The original motion as amended was then adopted.

Mr. Bristol was heard.

Ald. Hart moved that Mr. Bristol be allowed ten minutes' further time to present the opinion of Gen. Thayer. Adopted.

Ald. Otis presented the following as a substitute:

Whereas, The committee appointed by the common council to take charge of the proceedings relating to the recovery of certain bonds against the Rochester and State Line railway, or the value thereof, have reported "that no doubt is entertained by the committee as advised by their counsel that every dollar of the claim for certain coupons will be collected, amounting now with the accumulated interest to about \$150,000, and that it will be adjudged to be a primary lien on the State Line railway, before the outstanding bonds and other liens subsequently payable;" therefore,

Resolved, That the said committee be requested to discontinue the suit therefore only on payment of said coupons, principal and interest.

By Ald. Chace—

To the Board of Aldermen:

PHILADELPHIA, 15th Dec., 1879.

GENTLEMEN—At the time we joined Rochester and the State Line company in the tripartite agreement to finish the road to Salamanca, the bonds and stock were almost worthless; times were bad, and went from bad to worse and worse.

The city, company and contractor were all bound in good faith to support each other and uphold the credit of the enterprise, but, strange to say, prominent citizens of Rochester did all they could against it, and deterred banks from lending on the bonds and prevented buyers from investing. In this dilemma the contractor concluded to transfer the controlling interest in the stocks to the president of the New York Central, under an agree-

ment that was undoubtedly for the best interest of both bond and stockholders; and its announcement gave a start to the value and sale of the bonds; and again, when immediate friends of the Central took charge of the board of directors, the bonds sold up to par; and the president of the New York Central can, without detriment to his other interest, throw business enough over the State Line to earn fifteen per cent. per annum for the stockholders, and make the city stock worth par. The chances and prospects all favored this view, and the bonds would have gone up to 115 per cent. But in consequence of the breach of faith of the city and the course of antagonistic action taken by her for falacious pretexs, and in violation of the terms of the tripartite agreement, she has again upset the whole market, and reduced the value of both stock and bonds and effectually broke the market for bonds from par last July, down at present to fifty per cent. less than par.

There is something unpardonable and criminal on the part of the city, for this execrable conduct, and not only that, but we are advised she is liable for the damages we have sustained at her hands, and our claim is for \$300,000 and upwards recoverable through the courts; and if the city continues to deny us justice in one way she will compel us to seek it another, in self-defense. This is not intended as a mere threat, it is the only and natural course the city will force us into to obtain compensation for injury done and being done. Thus far the city has derived all the benefit from the completion of the road which is worth millions to the traffic or business of the city and to the increased value of all real estate.

Of course it's neither our pleasure, desire nor intention of going to law with the city, and we rely on the good sense of your honorable board for justice and amity and remain with the highest respect,
Your humble servant.

I. S. WATERMAN.

Ald. Warren moved that the substitute of Ald. Otis be indefinitely postponed. Adopted.

By Ald. FitzSimons—Resolved, That the Treasurer be and he is hereby authorized to draw the city's note or notes for \$125,000 and have the same discounted, and charge discount to Contingent Fund; the same being for interest due January 1st, 1880.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Hebing moved that the Board proceed to ballot for Commissioner of Deeds, and that the Clerk cast the ballot. Adopted.

Adolph Hirsh, Henry Martindale, Edwin Garden and John Hunt, having received the requisite number of votes were declared duly elected.

By Ald. Edelman—Resolved. That the Citizens' Gas Company be requested to lay their gas mains on Wilson street, from Hudson to North streets Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194, 241 and N. E. pt. 242 of the 100 acre Tract, W. Main street, First Ward, were assessed for the last installment of Genesee Valley Canal Spring Bridge, No. 1795, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$7.12, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879;

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property

will be assessed upon the assessment rolls for the general city tax for the year 1880, to Joseph A. Eastman, viz:

Lot No. 192 and E. pt. 143 1/4 Acre Tract, south side of West Main street, First Ward, 89 feet front, 89 feet rear, and 140 feet deep, and that the owner of said property should pay as his portion of last installment Genesee Valley Canal Spring Bridge, No. 1795, the sum of \$7.12, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879,
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194, 241 and N. E. part 242 of the 100 acre tract, West Main street, 1st Ward, were assessed for the last installment of Buffalo street bridge approaches, No. 1,821, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$17.30, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879.

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment rolls for the General City Tax for the year 1880 to Joseph A. Eastman, viz:

Lot No. 192 and east part 193, 100 Acre Tract, south side of West Main street, First Ward, 89 feet front, 89 feet rear, and 140 feet deep, and that the owner of said property should pay as his portion of last installment Buffalo street bridge approaches No. 1,821 the sum of \$17.30, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed.) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879,
(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241 and NE pt 242 of the 100 acre tract, W. Main street, First Ward, were assessed for the last installment of Buffalo street bridge approaches No. 1,821 under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$4.50 with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879.

George D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the general city tax for the year 1880 to John H. Martindale, viz:

Lot No. 241 WM pt 100 acre tract, south side of West Main street, First Ward, 20 feet front, 30 feet rear, and 30 feet deep, and that the owner of said property should pay as his portion of last installment Buffalo street bridge approaches No. 1,821 the sum of \$4.40, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed) D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879,
(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Whereas, Lots Nos. 192, 193, 194, 241 and n e pt 242 of the 100 Acre Tract, West Main st, First ward, wer assessed for the last instalment Genesee

Valley canal swing bridge No. 1,795, under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$2.00, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879.

George D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to John H. Martindale, viz:

Lot No. 241 w m part 100 Acre Tract, south side of West Main street, First ward, 20 feet front, 20 feet rear, and 30 feet deep, and that the owner of said property should pay as his portion of last instalment Genesee Valley canal swing bridge No. 1,795 the sum of \$2.00, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879.
(A true copy.)

GEO. D. WILLIAMS, Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots Nos. 192, 193, 194 and 241 and northeast part of 242 of the 100 acre tract, Main street, First Ward, were assessed for the last instalment for the Genesee Valley Canal swing bridge No. 1,795, under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the assessors, dated December 15, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$7.04, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879.

George D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to the Monroe County Savings Bank, viz:

Lot No., west part, 193, 194 and part 241 of 100 acre tract, south side of West Main street, 2d ward, 20 feet front, 188 feet rear, and 120 feet deep, and that the owner of said property should pay as his portion of the last instalment for the Genesee Valley Canal bridge, No. 1,795, the sum of \$7.04, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, Dec. 15th, 1879.

A true copy.

GEO. D. WILLIAMS, Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241, and N. E. pt. 242 of the 100 Acre Tract, West Main st., First ward, were assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the Assessors, dated December 15, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$395.23, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879.

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the year 1880 to Monroe County Savings Bank, viz:

Lots No. W. pt. 193, 194, and pt. 241, 100-Acre Tract, south side of West Main street, First ward, 88 feet

front, 108 feet rear, and 120 feet deep, and that the owners of said property should pay as their portion of General City Tax 1879, the sum of \$395.23, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Dec. 15th, 1879.
(A true copy.)

Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241 and n. e. pt. 242 of the 100 Acre Tract, West Main street, First Ward, were assessed for General City Tax, 1878, under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the Assessors, dated December 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$838.55 with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879.

Geo. W. Williams, City Treasurer:

SIR, We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Monroe County Savings Bank, viz: Lot No. w. pt. 193, 194, n. pt. 241, 100 Acre Tract, south side West Main street, First Ward, 88 feet front, 108 feet rear, and 120 feet deep, and that the owners of said property should pay as their portion of General City Tax, 1878, the sum of \$838.55, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Dec. 15th, 1879.
(A true copy.)

GEORGE D. WILLIAMS, Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241, and N. pt. 242 of the 100 acre Tract, West Main street, 1st ward, were assessed for General City Tax for 1878 under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the Assessors, dated December 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$61.50 with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879.

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Jno. H. Martindale, viz: Lot No. 241, W. M. part, 100 Acre Tract, south side of West Mains street, 1st ward, 20 feet front, 20 feet rear and 30 feet deep, and that the owner of said property should pay as his portion of General City Tax, 1878, the sum of \$61.50, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879.
(A true copy.)

Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241 and north east part of 242 of the 100 acre Tract, W. Main street, First Ward, were assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the assessors, dated December 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such Tax, upon the payment of \$55.19, with expenses and interest, in pursuance of said certificate.

Adopted.

(COPY.)

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., December 15th, 1879. }

Geo. D. Williams, Treasurer:

SIR.—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to John H. Martindale, viz:

Lot No. 241, w m pt 100 acre tract, south side of West Main street, First Ward, 20 feet front, 20 feet rear, and 30 feet deep, and that the owner of said property should pay as his portion of General City Tax, 1879, the sum of \$55.19 upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Dec. 15th, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots No. 192, 193, 194, 241, and northeast part of 243 of the 100 Acre Tract, West Main street, First Ward, were assessed for the last instalment of Buffalo street bridge approaches, No. 1,821, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$17.60, with expenses and interest, in pursuance of said certificate.

Adopted.

(COPY.)

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879. }

George D. Williams, Treasurer:

SIR.—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to the Monroe County Savings Bank, viz: West part of Lots Nos. 192, 194, and part of 241 100 Acre Tract, south side of West Main street, First Ward, 88 feet front, 108 feet rear, and 120 feet deep, and that the owners of said property should pay as their portion of the last instalment for Buffalo street bridge approaches, No. 1,821 the sum of \$17.60, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,

ROCHESTER, N. Y., Dec. 15th, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lot No. 87, of the Wadsworth Tract, Marshall street, Seventh Ward, was assessed for Griffith street walk, No. 1,717, under one valuation and in one amount, and is now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$27.64 with expenses and interest, in pursuance of said certificate.

Adopted.

(COPY.)

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879. }

Geo. D. Williams, City Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Lewis and Fidelia M. Miles, viz.: Lot No. 87, west part of Wadsworth Tract, south side of Marshall street, Seventh Ward, 40 feet front, 40 feet, rear, and 127 feet deep, and that the owners of said property should pay as their portion of Griffith street walk, No. 1,717 the sum of \$20.64, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Dec. 15th, 1879. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.

By Alderman Warren—Whereas, Lot No. 2 of the Assessors' subdivision of part Town lot 50, Schank avenue, Sixteenth ward, was assessed for Schank avenue improvement, No. 1790, under one valuation and in one amount, and is now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors dated December 15, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$138.00, with expenses and interest, in pursuance of said certificate. Adopted.

(COPY.)

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15, 1879. }

Geo. D. Williams, Treasurer:

SIR.—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880, to Sarah M. Wilson, viz:

Lots Nos. 8 and 9 of subdivision of part Town lot 50, known and described upon the General assessment rolls for 1875-6-7-8 and 9 as lot 2, Assessors' subdivision of part town lot 50, north side of Schank avenue, Sixteenth ward, 376 feet front, 389 feet rear, and 231 feet deep.

And that the owner of said property should pay as her portion of Schank avenue improvement No. 1790, the sum of \$138, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,

ROCHESTER, N. Y., Dec. 15, 1879. }

(A true copy.)

GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lot No. 2 of the Assessors' subdivision, pt. Town Lot 50, Schank avenue, Sixteenth Ward, was assessed for General City Tax 1879, under one valuation and in one amount, and is now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors, dated December 15th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$37.88, with expenses and interest, in pursuance of said certificate. Adopted.

(COPY.)

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 15th, 1879. }

Geo. D. Williams, Treasurer:

SIR.—We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880, to Sarah M. Wilson, viz:

Lots 8 and 9 of subdivision of pt. Town Lot 50, known and described upon General Assessment rolls for 1875-6-7-8 and 9 as lot 2, Assessors' subdivision of pt. Town lot 50, north side of Schank avenue, Sixteenth Ward, 376 feet front, 389 feet, rear, and 331 feet deep, and that the owners of said property should pay as her portion of General City Tax 1879 the sum of \$37.88, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Dec. 15, 1879. }

(A true copy.)

GEO. D. WILLIAMS, Treasurer.

By Ald. Tracy—

To the Common Council:

GENTLEMEN: Your lamp committee caused notices to issue inviting proposals for lighting, care, repair, etc., of the public kerosene oil lamps for the year commencing January 1st, 1880, on the present system, and also for the lighting, ectc. all and every night.

We also received proposals from the National gaslight company for the lighting of the "kerosene" lamps with naphtha on the present and all and every night systems. We submit the proposals received:

<i>Present System.</i>		<i>All and Every Night.</i>	
1. Miller & Bills..	\$5 23	1. Miller & Bills..	\$5 65
2. E. M. Perrin.....	5 40	2. R. R. Gay.....	6 24
3. E. R. Gay.....	5 58	3. Wm. Dyer.....	6 48
4. F. A. Parker.....	5 70	4. E. M. Perrin.....	6 57
5. Wm. Dyer.....	6 24	5. F. A. Parker.....	6 60
6. Kass & Brayer..	6 50	6. Kass & Brayer..	7 50
7. F. Steckel.....	7 25	7. F. Steckel.....	9 00
8. F. W. Caring.....	8 40	8. F. W. Caring...	9 50
Nat. Gas Lt. Co.	15 75	Nat. Gas Lt. Co.	17 85

WILLIAM H. TRACY,
LYMAN M. OTIS,
LEWIS EDELMAN,
Committee.

Ald. Mandeville moved that when this Board adjourn it be until next Tuesday evening, Dec. 23d.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Weaver—11.

Nays—Ald. Crouch, Chace, Edelman, Knobles, Hart—5.

By Ald. Otis—

Resolved, That the naphtha lamps be removed from their present location, and gas substituted; and that 400 kerosene lamps (200 on each side of the river) be transferred to naphtha; subject to the approval of the present contractor for naphtha lamps. This resolution to take effect January 1, 1880.

Ald. Otis moved that the resolution lie on the table until the next meeting. Adopted.

On motion of Ald. Mandeville the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

1st Common Council, Dec. 23rd, 1879.

ADJOURNED REGULAR MEETING.

Present—Ald. Tracy FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. E. B. Chace, President of the Board, presiding.

Ald. Weaver withdrew the bid of Miller & Bills presented at the last meeting.

Ald. Weaver moved that the contract for lighting the kerosene lamps be awarded to Gay & Co.

Ald. Knobles moved an amendment—that Kass & Brayer be awarded the contract.

Ald. Tracy offered the following as a further amendment :

Whereas, It is evident from the complaints received from taxpayers and citizens generally in regard to the manner in which the public kerosene lamps of the city have been cared for, and that some means should be devised for a more satisfactory result for the money expended for the purpose, and believing that a division of the city into two districts will prove of benefit to all; therefore

Resolved, That the contract for the lighting, extinguishing, care, repair and cleaning of the public kerosene lamps for the east side of the river be awarded to E. M. Perrin at the rate of \$7.00 per lamp per annum, said lamps to be lighted each and every night of the year in the same manner that the public gas lamps are now lighted.

Resolved, That a similar contract be entered into with Kass & Brayer for the west side of the river at \$7.00 per lamp per annum.

Resolved, That the contract must recite that the city reserves the right to any time increase or diminish the number of lamps, also that the deduction for unlighted lamps reported by the police will be made to the full pro rata amount.

Ald. Otis offered the following as a substitute :

Resolved, That the Mayor be and is hereby authorized and instructed to enter into a contract on the part of the city with William Dyer to light, extinguish and keep in repair the kerosene lamps every night and all night for the year 1880, at \$6.45 per lamp; the Common Council reserving the right to annul the contract at any time by giving the contractor one week's notice thereof.

Ald. Otis presented the following :

ROCHESTER, Dec. 23, 1879—5 o'clock p. m.

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

GENTLEMEN—I herewith withdraw my name from the bond of Mr. Gay's proposal to light the city with kerosene lamps.

CHARLES BARTON.

Ald. Hart moved that Mr. Brayer be heard. Ald. Westbury moved to table the motion. Lost by the following vote :

Ayes—Ald. Westbury, Otis, Hebing, Mandeville, Wickens, Weaver—6.

Nays—Ald. Tracy, FitzSimons, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

Ald. Mandeville moved that the whole matter lie on the table for one week.

Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Mandeville, Weaver—4.

Nays—Ald. FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—12.

The substitute of Ald. Otis was lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Mandeville, Wickens—6.

Nays—Ald. Tracy, Warren, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—10.

The amendment of Ald. Tracy was lost by the following vote :

Ayes—Ald. Tracy, Crouch, Chambers, Chace, Vay, Edelman—6.

Nays—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Weaver, Knobles, Hart—10.

Ald. Warren moved that the vote on the substitute offered by Ald. Otis be reconsidered.

Lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Mandeville, Wickens, Weaver—7.

Nays—Ald. Tracy, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Ald. Hart moved a reconsideration of the vote taken on the amendment of Ald. Tracy.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Nays—Ald. Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Weaver—7.

Ald. Westbury moved as a substitute that the contract be awarded to Wm. Dyer at \$6.45 per lamp.

Lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Mandeville, Wickens, Weaver—7.

Nays—Ald. Tracy, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Ald. Hebing moved that the whole matter lie on the table for one week.

Lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Hebing, Mandeville, Wickens, Weaver—7.

Nays—Ald. Tracy, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—9.

Ald. Westbury moved as a substitute that F. W. Caring be awarded the contract at \$9.50.

Ald. Weaver moved the indefinite postponement of the substitute.

Lost by the following vote :

Ayes—Ald. Westbury, Otis—2.

Nays—Ald. Tracy, FitzSimons, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

The substitute of Ald. Westbury was lost by the following vote :

Ayes—Ald. Westbury, Otis, Warren—3.

Nays—Ald. Tracy, FitzSimons, Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Ald. Hart moved the previous question and it was ordered by the following vote:

Ayes—Ald. Tracy, FitzSimons, Warren, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—10.

Nays—Ald. Westbury, Otis, Hebing, Mandeville, Wickens, Weaver—6.

The amendment of Ald. Tracy was lost by the following vote:

Ayes—Ald. Tracy, Crouch, Chambers, Chace, Vay, Knobles, Hart—7.

Nays—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Edelman, Weaver—9.

The amendment of Ald. Knobles was lost by the following vote:

Ayes—Ald. Warren, Chambers, Chace, Vay, Knobles, Hart—6.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Mandeville, Wickens, Edelman, Weaver—10.

The motion of Ald. Weaver was adopted by the following vote:

Ayes—Ald. FitzSimons, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver—9.

Nays—Ald. Tracy, Westbury, Otis, Crouch, Chace, Knobles, Hart—7.

Ald. Tracy in the chair.

By Ald. Mandeville—Resolved, That any assignment of the contract for the lighting and care of the kerosene lamps to any party other than the one named in the original contract, shall be deemed a good and sufficient reason for the cancelation of the same.—Adopted.

By Ald. Crouch—

Resolved, That the contract for lighting the naphtha lights on the line of the gas mains be discontinued, and said lamps be lighted with gas.

Ald. Weaver moved that the resolution lie on the table. Lost.

Ayes—Ald. Tracy, FitzSimons, Warren, Mandeville, Weaver—5.

Nays—Ald. Westbury, Otis, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—11.

Ald. Otis moved that the resolution be indefinitely postponed. Adopted.

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Edelman, Weaver, Knobles—11.

Nays—Ald. Crouch, Chambers, Chace, Vay, Hart—5.

Ald. Otis called up the following:

Resolved, That the naphtha lamps be removed from their present location and gas substituted; and that 400 kerosene lamps (200 on each side of the river) be transferred to naphtha, subject to the approval of the present contractor for naphtha lamps; this resolution to take effect January 1, 1880.

Ald. Hart moved that the motion be postponed until the next meeting. Lost.

Ayes—Ald. Tracy, FitzSimons, Warren, Edelman, Weaver, Knobles, Hart—7.

Nays—Ald. Westbury, Otis, Hebing; Crouch, Chambers, Chace, Mandeville, Vay; Wickens—9.

Ald. FitzSimons moved that the motion be referred to the Lamp Committee to act. Lost.

Ayes—Ald. Tracy, FitzSimons, Warren, Mandeville, Wickens, Edelman, Weaver—7.

Nays—Ald. Westbury, Otis, Hebing, Crouch, Chambers, Chace, Vay, Knobles, Hart—9.

The resolution of Ald. Otis was adopted.

Ayes—Ald. Westbury, Otis, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles—10.

Nays—Ald. Tracy, FitzSimons, Warren, Mandeville, Weaver, Hart—6.

By Ald. Chambers—

Resolved, That naphtha be substituted for kerosene in the following public lamps in the streets named :

Atkinson st., from Canal to Reynolds st.....	4
Julia st., from Atkinson to West ave.....	4
Waverley place, from Julia st. to Genesee Valley canal.....	3
Park place, from West ave. to Troup st.....	1
New York st., from Francis to Wentworth st.....	3
Troup st., from Francis to Lambert park.....	3
Clifton st., from Francis to Genesee st.....	7
St. Clair st., from Clifton to Tremont st.....	2
Tremont st., from Genesee Valley canal to Morgan st.....	13
Reynolds st., from Adams to Bartlett st.....	12
Frost ave., from Francis to Olean st.....	14
Hunter st., from Hunter to Frost ave.....	6
Francis st., from Hunter to Strong st.....	8
Plymouth ave., from Bartlett to Magnolia st.....	11

108

In the territory named above twenty-five lamps have been dispensed with.

Ald. Mandeville moved that the resolution lie on the table. Adopted.

By Ald. FitzSimons—

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

You will please to take notice, that the wire cable running transversely for about three hundred feet along and across Platt street, from the water-power building on Brown's race, to the south-west corner of Mill and Platt streets, and used for propelling machinery, is a dangerous nuisance, which you are hereby required to abate.

It ruus with great velocity, at an elevation of fifty or sixty feet above the street and sidewalks, and has already fallen three times, to the imminent peril of life and property.

The city as well as the owners will be held responsible for every injury that has occurred or that may hereafter occur, unless the cause of complaint be immediately removed.

Dated Rochester, N. Y., Dec. 22, 1879.
D. LEARY.

Referred to Law Committee.
By Ald. Hebing—Petition of Hugh Maier.
Referred to Wood Building Committee.
By the Clerk—

OFFICE OF THE EXECUTIVE BOARD, }
ROCHESTER, Dec. 23, 1879. }

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

I transmit herewith, as directed, the following proceedings of this Board at a regular meeting, held January 19, 1879:

“By Mr. Kavanagh—Resolved, That the Common Council be requested to pass an ordinance for the construction of a plank walk four feet eight inches wide on the west side of Warehouse street, between Allen and Platt streets; also a four foot eight inch walk on the south side of Centre street, between State st. and Browns Race. Adopted.”

FRANCIS P. KAVANAGH,
Clerk of the Executive Board.

Referred to Improvement Committee.
By Ald. Chace—

N. Y. CENTRAL & HUDSON RIVER R. R. Co. }
GRAND CENTRAL DEPOT, }
NEW YORK, Dec. 20, 1879. }

E. B. Chace, Chairman Committee, etc., Rochester.

DEAR SIR: I am in receipt of your letter of the 12th, enclosing further changes and modifications of our original plan. I am greatly disappointed by the position your people take in this matter. I originally proposed that this work should be done jointly by the city and company, as the benefits were greater to the former than the latter, when it was claimed that there were constitutional objections to the city bearing a portion of the expense. I then agreed that we would assume the whole cost and prosecute the work to immediate completion. Plans were prepared by the most competent engineers, and these have been objected to and modified from time to time in the efforts to satisfy interests in your city hostile to the company, until we had, as we believe, satisfied the large majority of the people, and the delays thus occasioned thereby had carried us into winter. In the meantime the advance of the prices of material and labor have increased the cost of the work several hundred thousand dollars. I have submitted your last communication to the engineer, who reports that it adds very largely to the expense for purposes of adornment and ornamentation.

With an earnest desire to maintain harmonious relations, and to foster and encourage substantial friendship between the city and the company, I agreed with the company to assume the whole of the originally estimated cost, and have made repeated changes at your suggestion, which have materially increased it. I do not see how I can be asked to go any further, or how I can do any more with any justice to the company. I am as solicitous now as from the beginning to be in full accord with the people of Rochester in this and all other matters affect-

ing our joint interests, but it seems to me that you are interposing objections and demands which are both unreasonable and unjust.

In regard to the meeting with your committee, while personally I would be very happy to meet them, I do not think any good could be accomplished by the interview. We cannot adopt the last changes which you demand, and which will necessarily increase the cost of the work beyond any limit ever contemplated, and this would be my answer if you were here. Regretting that any disagreement should longer continue, I remain, yours truly

W. H. VANDERBILT, President.

Ordered received, filed and published.
On motion of Ald. Edelman the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Dec. 30th, 1879.

REGULAR MEETING.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. E. B. Chace, President of the Board, presiding.

The minutes of the previous meeting were approved after the correction on motion of Ald. Otis of the resolution of Ald. Weaver adopted at the last meeting awarding the kerosene lamp contract to R. R. Gay instead of Gay & Co., as published.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Tracy—Bills of

National Gas Co., lighting and care of lamps	\$ 566 67
Citizens' Gas Co.,	2250 70
Rochester Gas Co.,	1657 88
Chas. A. Jeffords, lighting	care of kero-
sene lamps.....	716 65

Referred to the Lamp Committee.

By Ald. Westbury, petition for sewer in Clarissa street. Referred to Sewer Committee.

By Ald. Otis—Petition for extension of gas mains in North St. Paul street, and moved that the prayer of the petition be granted.

Ald. FitzSimons moved that the motion lie on the table until the next meeting. Adopted.

By Ald. Crouch—Bills of

A. Bauerschmidt, meat.....	\$75 00
L. A. Pratt, shoes.....	18 25
John Hahn, meat.....	100 00
A. H. Martin, groceries.....	32 50
P. Joyce, burials.....	48 00
James H. Phelan, shoes.....	45 50
Fred. Wurtz, meat.....	50 00
H. Heddich, meat.....	100 00
Smith, Perkins & Co., groceries.....	478 43
.....	15 40
L. A. Wheeler, meat.....	100 00
B. O'Reilly, burials.....	103 50

Referred to the Poor Committee.

By Ald. Chambers—Bills of

Joseph Corbin, serving notices.....	\$0 64
City Messenger, hack hire.....	18 06
John P. Smith, printing.....	10 00
James H. Upton, hack hire.....	3 00
Roch. Printing Co., pub. notices, blanks, &c..	67 90

Referred to the Contingent Expense Committee.

By Ald. Chambers—Petition for a sewer in the Genesee Valley Canal. Referred to Sewer Committee.

By Ald. Mandeville—Bills of

John R. Brady, labor and material.....	\$ 121 00
Rochester Gas Co., gas City Hall and F. S. B. for city building.....	115 50
George W. Aldridge, labor, &c.....	138 35
J. Tallman, soap.....	94 45
	4 00

Referred to City Property Committee.

By Ald. Wickens—Petition for gas mains in Cypress st.

By Ald. Wickens—Resolved, That the Citizens' Gas Co. be requested to lay their mains in Cypress st., from Mt. Hope avenue to South avenue, as soon as practicable. Adopted.

By Ald. Weaver—Bills of

Gilbert Brady & Co., paving and labor re-arranging lamps.....	\$ 26
Citizens' Gas Co. rearranging lamps.....	188 15
Rochester.....	175 92

Referred to the Special Committee on Rearranging Lamps.

By Ald. Knobles—Petition of C. Knickerbocker. Referred to the Assessment Committee. Mr. Knickerbocker was heard.

By Ald. Knobles—

To the Honorable Common Council:

The Rochester City & Brighton Railroad Company respectfully ask permission to lay railway tracks from State street through Allen to Brown street, thence through Clark, Grape and Jay streets to the Church of the Holy Family, P. BARRY, President.

C. B. WOODWARD, Treasurer.

By Ald. Knobles—Resolved, That the petition of the R. C. & B. R.R. Co. to lay tracks in Allen, Clark, Grape and Jay streets, be and is hereby granted, subject to the restrictions of the charter.

Ald. FitzSimons moved to add to the resolution the language of the ordinance, section 26, requiring the company to pay a license for each car run on the route.

Ald. Weaver moved that the whole matter lie on the table for two weeks.

Lost by the following vote:

Ayes—Ald. FitzSimons, Weaver—2.

Nays—Ald. Tracy, Westbury Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

The resolution of Ald. Knobles was adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

Nays—Ald. FitzSimons, Weaver—2.

By Ald. Hart—Petition for naphtha lamps in Henrietta avenue. Referred to the Lamp Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Chambers, from the Contingent Expense Committee; Ald. Crouch, from the Poor Committee; Ald. Mandeville, from the City Property Committee; Ald. Tracy, from the Lamp Committee; Ald. Weaver, from the Special Lamp Committee; reported in favor of the several bills referred to their Committees and referred them to the Finance Committee for payment.

By Ald. Hebing—

To the Common Council of the City of Rochester:

Your Law Committee to whom was referred the petition of E. H. Daniels praying that the city of Rochester convey to him a certain parcel of land in exchange for another parcel, as

per agreement, would report that in or about the year 1874 the petitioner was and still is the owner in fee of all that parcel of land situate on the corner of Caledonia avenue and West Main street.

The Board of Public Works then being desirous of running the lines of said West Main street to meet the line of Caledonia avenue in such manner as to include and occupy a portion of the petitioner's land aforesaid, agreed in lieu and exchange therefor to cause to be deeded to him a small triangular strip of land belonging to the city in front of the park laid out at the intersection of said streets.

The Board of Public Works in pursuance of said agreement took possession of said parcel of land belonging to the petitioner and since that time the city has and now is using the same for a street, but as yet has not performed said agreement by deeding to him said parcel or triangular strip of land in exchange therefor. Your committee see no good or valid reason why the agreement aforesaid should not be performed on the part of the city, and therefore offer the following resolution for action:

Resolved, That the City Attorney, with the assistance of the City Surveyor, prepare the necessary deeds of conveyance for the exchange of said parcels of land as per said agreement, and that the Mayor be and he hereby is directed to execute on behalf of the city the one from the city to Mr. Daniels and deliver the same to him on receipt of one properly executed by Mr. Daniels and wife to the city.

All of which is respectfully submitted.

Dated Dec. 30th, 1879.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,

Adopted. Committee

To the Common Council of the City of Rochester:

Your Law Committee to whom was referred the petition of Mrs. Mary E. O'Kief claiming damages for injuries alleged to have been received by her in the month of January last by slipping and falling on a cross-walk on North avenue, would report:

The petitioner claims fifteen hundred dollars of the city for her damages as a compromise or settlement of the claim.

Your Committee without expressing any opinion as to the liability of the city in the matter deem the amount claimed excessive and unreasonable, and therefore report adversely to granting the prayer of the petitioner.

All of which is respectfully submitted.

HENRY HEBING,
H. WESTBURY,
LEWIS EDELMAN,
Committee.

Dated December 30th, 1879.

Adopted.

Ald. Hebing presented a transcript of judgment against the city in the bread suit of Fitchner vs. City of Rochester.

Ald. Hebing moved that the Clerk draw an order in favor of the plaintiff for \$149.25 and charge it to the Poor Fund.

Ald. Weaver moved that all the bread bills in litigation and those not be referred to the Finance Committee.

Ald. Knobles moved as a further amendment that the bills be referred to the Law Committee and City Attorney.

Ald. Hebing's motion to pay David E. Fitcher was adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The amendment of Ald. Knobles was adopted by the following vote :

Ayes — Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

FINANCE BUDGET.

ROCHESTER, N. Y., Dec. 30, 1879.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable.

CONTINGENT FUND.

MONTHLY PAY ROLL FOR DECEMBER, 1879.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth,	150 00
Wm. Mahar,	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Duell,	150 67
M. H. McMath, Clerk	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building.....	37 50
W. C. Gray, Assistant Surveyor's Office.....	20 00
C. B. Parsons, Draughtsman	60 00
W. J. Stewart, Chainman	40 00
Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office.....	58 34
E. W. Williams,	116 66
Warham Whitney, services in	62 56

MISCELLANEOUS.

James Day, hack hire.....	3 00
William F. Cogswell, services water w's suit.....	2,513 70
N. T. Hacksaaff, printing.....	4 00
Union and Advertiser, printing.....	88 00
.....	157 00
.....	20 00
.....	15 00
Herald Printing Company, publishing notices.....	75 75
James Kavanagh, hack hire	3 00
Joseph Apply	1 50
W. H. Mills, hackhire.....	1 50
A. Kasseal,	2 00

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO JAN. 1ST, 1880.

Joseph Schutte, Overseer.....	\$116 66
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	66 67
Jacob Lutt, clerk.....	40 00
Fred. Guac, clk poor store.....	20 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt	41 67
Dr. Rockwell.....	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. Nov.....	41 67
Porter W. Taylor,	41 67
Edward E. Bausch,	41 67
Paris G. Clark,	41 67

MISCELLANEOUS.

Buckley & Co., groceries.....	12 00
John Hart, shoes.....	248 00
F. Morhardt, meat.....	50 00
S. W. Milchamp, wood.....	66 12
J. Schutte, disbursements	68 40
Daniel Lobes, flour.....	317 50
And charge that fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL TO JAN. 1, 1880.

Sam'l Donnelly Supt. Board Health, salary.....	\$ 60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
F. J. Irwin, messenger.....	25 00
Henry M. Heinold, Keeper of Hope Hospital.....	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
John Christie, Insp'r.....	50 00
Orrin Harris, Insp'r.....	50 00

John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Dec. 1, 1879.	
E. S.....	125 00
Bradley & Co., garbage contractor to Dec. 1, 1879, W. S.....	150 00
L. A. Ward, insurance.....	10 00
N. T. Hacksaaff, printing.....	8 00
And charge that fund.	

CITY PROPERTY FUND.

Howe & Snyder, work at City Hall.....	21 85
Richard Wright, labor and repairs.....	65 04
Sargent & Greenleaf, repairing locks.....	73
F. J. Irwin, cleaning, &c.....	83 45
And charge that fund.	

LAMP DEPARTMENT FUND.

Gilbert Brady & Co, paving streets.....	54 50
Citizens' Gas Company, resetting lamp posts.....	126 31
And charge that fund.	

POLICE DEPARTMENT FUND.

George Truesdale, Police Justice, salary to January 1st, 1880.....	\$ 166 66
Fred. Zimmer, Police Commissioner, quarter salary, to January 1st, 1880.....	125 00
Jacob Howe, Jr., Police Commissioner, quarter salary, to January 1st, 1880.....	125 00
Geo. W. Aldridge, labor, &c.....	46 05
Blakely, King & Carey, repairing cells.....	8 43
Union and Advertiser, printing.....	10 00
Consumers' Ice Co., ice.....	19 50
B. Frank Enos, expenses for November.....	9 77
And charge that fund.	
E. B. Randall, repairing lawn mower.....	4 28
George C. Maurice, grass seed.....	1 44
Jas. Horton, labor, 15 days	15 00
And charge that fund.	

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles—14.

By Ald. Warren—

To the Common Council :

GENTLEMEN :—Your Assessment Committee report the following resolutions and recommend their adoption :

Resolved, That the Treasurer accept from Eliza B. Strong the face of the taxes standing against the property of the late Dr. Strong, with 7 per cent. interest from the time the taxes became due up to the time of payment.

Resolved, That the Treasurer accept from William E. and Mary C. Beck the face of the taxes against the property described in their petition with 7 per cent. interest from the time the taxes became due to the time of payment. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

MAYOR'S OFFICE,
ROCHESTER, Dec 30, 1879. }

By the Clerk—

Gentlemen of the Common Council :

I have handed the Clerk, to be presented to you this evening, the contract this day executed by me with Richard R. Gay, for the care and lighting of the public kerosene lamps for the year 1880.

For the faithful performance of his work Mr. Gay has filed with me a bond executed by Geo. P. Davis and Christian Miller.

CORNELIUS R. PARSONS, Mayor.

This agreement made this 30th day of December, 1879, between Richard R. Gay, of the first part, and the city of Rochester, of the second part:

Witnesseth—That the said Richard R. Gay agrees to take charge of, light and extinguish, all the kerosene public lamps that are or may be in use by the city of Rochester from January 1st, 1880, to January 1st, 1881; he is to fur-

nish such lamps with the best quality of oil, wicks, chimneys, funnels and double thick glass necessary for the use of said lamps, and keep said lamps in all respects in good order, and to clean the chimneys and glass belonging thereto, at least three times a week, and to trim and clean said lamps as often as he may be required by the Lamp Committee of the Common Council of said city in order to secure good light. He is to light all of said lamps and keep them lighted from half an hour after sunset until daylight, every night and all night, during said year. For lamps found unlighted by the police and reported by them, a deduction will be made for such amount as shall be deemed equitable by said Common Council. The city of Rochester, by the said Lamp Committee, reserves the right to annul and terminate this contract at any time during said term upon giving the contractor one week's notice in writing of their intention so to do, and in case of neglect to faithfully perform this contract on the part of the contractor according to its terms and conditions. The said Lamp Committee may also terminate the contract upon giving said contractor twenty-four's notice, and any assignment of this contract or of any interest therein by the contractor to any other person or corporation shall terminate and annul the contract at the option of said Lamp Committee or of the Common Council of said city. The city of Rochester also reserves the right by its said Lamp Committee to increase or diminish the number of public kerosene lamps to any extent at any time during said term.

In consideration of the faithful performance of the above agreement the city agrees to pay therefor at the rate of six dollars and twenty-four cents, (\$6.24), for each lamp taken care of, lighted and supplied as above stipulated during the entire year, and for each lamp taken care of, lighted and supplied as aforesaid for less than one year at the same rate in proportion. Such payments to be made monthly.

Witness the hand of the party of the first part, and the seal of said city and the hand of its Mayor, the day and year above written.

RICHARD R. GAY,
CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

By the Clerk—

To the Honorable Common Council of the City of Rochester :

GENTLEMEN: At your last regular meeting my opinion was solicited in relation to an ordinance then pending before your body, for the extension of Lake avenue outlet sewer as to whether the city of Rochester could legally obtain, without the consent of the owner, an easement for the discharge of the contents of said sewer through private property by means of a funnel or excavation some fifteen feet below the surface of the ground, without paying full compensation not only for the land to be taken, but for all that land from the surface over the funnel to the bed thereof.

By the provisions of the City Charter there are only two ways in which the city can take private private property for public use, viz.:

First—By voluntary sale and conveyance; and

Secondly—By appraisement and payment of the value assessed.

The owners of the property through which said sewer is designed to be constructed can convey to the city a perpetual right to construct, maintain and forever discharge the contents of said sewer through or over their said premises, provided the terms of sale can be agreed upon. In the present case I apprehend no such agreement can be consummated.

An appraisement is required when there is an inability to convey, a refusal to sell, or a disagreement as to the price of the land. In case of an appraisement the city becomes vested with the title to the lands to be taken for the improvement (free and clear from all incumbrances) on payment of the amount awarded by the commissioners.—[Section 175 of the City Charter.

By the provisions of chapter 464 of the Laws of 1877, entitled "An act to authorize the city of Rochester to acquire the title to land or other property for the use and purposes of Water Works, sewers, dumping rubbish and dirt," passed June 16th, 1877. Section 1 of said act, among other things, provide as follows:

"Section 1. In case the city of Rochester is unable to obtain by purchase the title to any lands, waters, lakes, springs, ponds or streams or any easement in or right of temporary occupation of such lands, waters, lakes, springs, ponds or streams which may be necessary for the use of the Water Works of said city, or for the use and purposes of sewers, or of dumping rubbish and dirt, the Executive Board of said city shall be and hereby is authorized, by and with the consent of the Common Council, to proceed to acquire such title or other rights in and to such lands, waters, etcetera, for and in behalf of said city, in the manner prescribed in and by the acts to authorize the formation of railroad corporations and to regulate the same, passed April 2nd, 1850, as heretofore amended, and for that purpose all the provisions of the last mentioned act, and of the acts amendatory thereof, are hereby made applicable to proceedings under this act.

In case the Common Council should elect to proceed to acquire the title or easement to the lands in question, under the provisions of the last mentioned act, through the Executive Board, instead of under the ordinance, the Commissioners appointed for the purpose of ascertaining and determining the compensation which ought justly to be made by the city to the owners or persons interested in the real estate appraised by them; and in fixing the amount of such compensation, said Commissioners are prohibited from making any allowance or deduction on account of any real or supposed benefits which the parties interested may derive from the construction of the proposed improvement for which said real estate may be taken.

Where the land is taken by appraisement the statute must be strictly complied with; and any reservation of the use, occupation, enjoyment, or any other rights reserved by the Commissioners to the owners of the lands to be taken for such improvement, the courts have repeatedly held rendered the whole proceedings void.

In case the Common Council deem it expedient to commence proceedings under the charter for the proposed right of way, I am of the opinion the city will be compelled to pay

full compensation for the land through or over which said sewer or tunnel is constructed from the surface over the same to the bed thereof; and in case proceedings are taken under the railroad act, in pursuance of the provisions of Act Chap. 464, laws of 1877, the Commissioners may in their discretion award an amount for the easement, which would equal the value of the fee of the land through which the sewer or tunnel may pass.

All of which is respectfully submitted.
Dated December 30th, 1879.
A. G. WHEELER, City Attorney.

Ordered received, filed and published.
By the Clerk—

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

GENTLEMEN—At a meeting of the joint Committees of Citizens and Common Council on Elevated Tracks, held at the Mayor's office this (Tuesday, December 30,) afternoon, after a full interchange of views, the following resolution was unanimously adopted and ordered communicated to the Common Council :

Resolved, That the Common Council be respectfully requested to reconsider their action in regard to elevated tracks, and that they be earnestly requested to adopt the plan substantially as recommended by the Citizens' Committee, and approved by Mr. Vanderbilt.

E. B. CHACE, Ch'n Com.
Ordered received, filed and published.

CITY CLERK'S OFFICE, }
ROCHESTER, Dec. 30, 1879. }

To the Common Council of the City of Rochester :

GENTLEMEN—In accordance with section 39 of the city charter I report the following named persons appointed to office by your honorable body as having qualified and taken the oath of office :

Commissioners of Deeds—Adolph Hirsch, Henry Martindale and Edward Yarton.

Respectfully,
EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.
By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF DECEMBER, 1879.

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing December 1st, to and including Dec. 29th, 1879, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Castello, Thomas, 253 Exchange st.....	\$34 00
Griith, Henry E., corner Seward and Champlain sts.....	20 00
Foehner, Geo., 21 Lime st.....	26 00
Schaefer, E. P., 89 St. Joseph st.....	21 50
Donivan, John, 34 S. St. Paul st.....	30 00
Kimball & Bronson, 29 1/2 E. Main st.....	29 00
Ebberly, Frank, 40 Maple st.....	40 00
Georger, George, 44 Wilder st.....	35 00
Schaeffer, Sophia, 28 Buc lan park.....	20 00
Klingler, Sebastian, 184 St. Joseph st.....	25 00
McNamara, Patrick H., 142 N. St. Paul st.....	40 00
Schorner, Mathias, cor. Jay and Orchard sts.....	30 00
Bishop, Wm., 133 North ave.....	20 00
Schwartz, Geo. M., 219 North Clinton st.....	25 00
Stickel, Thos., 104 Allen st.....	50 00
Larson, Geo. M., 3 Market st.....	20 00
Williams, Joseph, 93 So. St. Paul.....	20 00
Larson, Elias T., 19 1/2 Mill st.....	36 00

Coffey, Daniel & Dennis, 11 S. St. Paul st.....	22 00
Nichols, William, 16 Exchange st.....	50 00
Haeker, Rudolph, 221 Brown st.....	48 00

Total amount received and deposited with City Treasurer..... \$628 10
Dated Rochester, N. Y., Dec. 29, 1879.

STATE OF NEW YORK,
County of Monroe, } ss.
City of Rochester.

Vincent M. Smith, Porter W. Taylor and Edward E. Bausch, of said city, county, and State, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the moneys received from December 1st to December 29th, 1879, inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
EDWARD E. BAUSCH,
Excise Com'rs.

Sworn to before me this 30th day of December, 1879.
PARIS G. CLARK,
Commissioner of Deeds in and for the city of Rochester, N. Y.

Ordered received, filed and published.

ACTION ON ORDINANCES.
FIRST ORDINANCES.

BRICK SEWER IN GENESEE VALLEY CANAL.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a circular brick sewer in the bed of the Genesee Valley Canal, and extending to, and through Platt street, from the centre of Flint street to the tunnel at State street.

Adopted.
The Surveyor submitted as such estimate \$125,000.
By Ald. Edelman—Resolved. That the following improvement is expedient, viz :

The construction of a circular brick sewer in the bed of the Genesee Valley Canal, and extending to, and through Platt street, from the centre of Flint street to the tunnel at State street, and to be of the following sizes, viz :

- 2 feet 9 inches in diameter from the center of Flint street to a point opposite the center of Mansion street;
- 3 feet 6 inches in diameter from said point to the center of Plymouth avenue;
- 3 feet 6 inches in diameter from the center of Plymouth avenue to the Ocean street outlet;
- 6 feet 3 inches in diameter from the Ocean street outlet to the center of Tremont street;
- 6 feet 9 inches in diameter from the center of Tremont street to the center of Troup street;
- 7 feet in diameter from the center of Troup street to the center of West Main street;
- 8 feet in diameter from the center of West Main street to the Trowbridge street outlet;
- 8 feet 3 inches in diameter from the Trowbridge street outlet to the Canal street outlet;
- 7 feet 6 inches in diameter from the Canal street outlet to the center of Frank street;
- 6 feet in diameter from the center of Frank street to the tunnel at State street.

To include also the necessary surface sewers, man-holes, sewer connections and lot laterals. Also a lateral sewer connecting the Genesee river with the proposed outlet sewer at the old culvert, for flushing purposes. The property deemed necessary to be used for the location of the main sewer, excepting the bed of the Genesee Valley and Erie canals and Platt streets, is described as follows, viz : A strip of land belonging to the New York Central & Hudson River Railroad Company extending in the direction of and opposite the center of Platt street from Platt street to the Erie canal, the inside diameter of the sewer across said premises to be 8 feet 3 inches and the depth to be about 15 feet.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$125,000, 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, viz :

All that portion of the First and Second wards described by and enclosed within the following boundary to wit: Beginning at the intersection of the north line of Platt street with the west line of State street; thence westerly along Platt street and including one tier of lots on the north side thereof to Frank street, excepting the lot on the northwest corner of Platt and State streets; thence northerly along Frank street and including one tier of lots on the east side thereof to Brown street, excepting the lots on the southeast and southwest corners of Brown and Frank streets; thence still northerly along Frank street ex-

cepting one tier of lots on the west side thereof to Jay street; thence westerly along Jay street excepting one tier of lots on south side thereof to the center of the Erie canal; thence southerly along the center of the Erie canal to Ford street; thence northerly along Ford street excepting one tier of lots on the west side thereof to Hunter alley; thence easterly along Hunter alley to the southerly line of the New York Central & Hudson River Railroad property; thence easterly along the southerly line of said railroad property to Kent street; thence northerly along Kent street and including one tier of lots on the east side thereof to Dean street; thence easterly along Dean street to Jones street; thence northerly along Jones street and including one tier of lots on the east side thereof to Platt street; thence easterly along Platt street and including one tier of lots on the south side thereof to Otsego street; thence southerly along Otsego street and including one tier of lots on the west side thereof to Center street, excepting the lot on the northwest corner of Otsego and Center streets; thence northerly along Otsego street and including one tier of lots on the east side thereof to Platt street, excepting the lot on the northeast corner of Otsego and Center streets; thence easterly along Platt street and including one tier of lots on the south side thereof to State street, excepting the lot on the southwest corner of Platt and State streets; thence northerly along State street to the place of beginning.

Also all that portion of the Third Ward described by and enclosed within the following boundary lines, to wit: Beginning at the intersection of the center line of the Genesee Valley canal with the center line of the Erie canal; thence southerly along the center line of the Genesee Valley canal to the south line of the Third Ward; thence easterly along the south line of the Third Ward to the Genesee river; thence northerly along the Genesee river to Clarissa street; thence westerly along Clarissa street including one tier of lots on the north side thereof to Greig street, including also the lot on the northwest corner of Greig and Clarissa streets; thence northerly along Greig street excepting the remaining lots on the west side thereof to Plymouth avenue; thence northerly along Plymouth avenue and through Plymouth park to Edinburgh street; thence still northerly along Plymouth avenue excepting one tier of lots on the west side thereof to Adams street; thence westerly along Adams street and including one tier of lots on the north side thereof, except the lot on the northwest corner of Adams street and Plymouth avenue, to Caledonia avenue; thence northerly along Caledonia avenue and including one tier of lots on the east side thereof to Garden street; thence easterly along Garden street to Eagle street; thence northerly along Eagle street excepting one tier of lots on the west side thereof to Troup street; thence northerly through Livingston park to Spring street; thence easterly along Spring street to West alley; thence northerly along West alley to the center of the Erie canal; thence westerly and northerly along the center of the Erie canal to the place of beginning.

Also all that portion of the Eighth and Eleventh wards described by and enclosed within the following boundary lines, to wit: Beginning at the intersection of the south line of Jay street with the center line of the Erie canal; thence westerly along Jay street excepting one tier of lots on the south side thereof to Magne street; thence southerly along Magne street and including one tier of lots on the west side thereof, excepting the lot opposite the end of Jay street, to Orange street; thence westerly along Orange street and including one tier of lots on the north side thereof to Grape street; thence southerly along Grape street and including one tier of lots on the west side thereof to Campbell street; thence still southerly along Grape street to Wilder street; thence southeasterly along Wilder street and including one tier of lots on the southwesterly side thereof to Brown street; thence southeasterly along Brown street and including one tier of lots on the northwesterly side thereof to West avenue; thence southerly across West avenue and along Genesee street and including one tier of lots on the west side thereof to Hunter street; thence easterly along Hunter street and including one tier of lots on the south side thereof to Summer street as proposed to be extended; thence southerly along the west side of the proposed Summer street and including one tier of lots on the west side thereof to the south line of Champlain street as proposed to be extended; thence easterly along the proposed Champlain street and including one tier of lots on the south side thereof to the alley running north and south about midway between Genesee street and Francis street; thence southerly along said alley and in the line of said alley continued and including one tier of lots on the west side thereof to Strong street; also the lot on the southwest corner of said alley as continued and Strong street; thence easterly along Strong street and including one tier of lots on the south side thereof to Francis street; thence southerly along Francis street and including one tier of lots on the west side thereof to

Seward street; thence southwesterly along Seward street and including one tier of lots on the northwest side thereof to Cottage street; thence southeasterly along Cottage street and including one tier of lots on the southwesterly side thereof to the angle in Cottage street; thence still southeasterly in the southerly line of Cottage street produced to the Genesee river; thence easterly and northerly along the Genesee river to the south line of the Third Ward; thence westerly along the south line of the Third Ward to the center line of the Genesee Valley canal; thence northerly along the center line of the Genesee Valley canal to the center line of the Erie canal; thence northerly along the center line of the Erie canal to the place of beginning.

And further, Resolved, That the taxpayers to be assessed for making such improvement may pay their assessments in five equal payments as follows: One fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of said roll; one-fifth of the amount within two years from the confirmation of said roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Jan. 13th, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE No. 2,093.

PLANK WALK ON BAY STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to construct a plank walk four feet and eight inches wide on the north side of Bay street, in front of school lot No. 25.

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

The construction of a plank walk four feet and eight inches wide on the north side of Bay street, in front of school lot No. 25.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor under the direction of this Council, having made an estimate of such expense, and reported the same at \$40.00, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefitted by said improvement is described as follows:

School lot No. 25.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chase, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

The final ordinance for extending Lake avenue sewer was postponed two weeks.

The final ordinance for a sewer in Exchange street came up and allegations were again heard.

Ald. Tracy moved to strike out from the territory assessed all property on Exchange street north of the Erie Canal.

Ald. Westbury—also all property on Plymouth avenue from Park south, and on Clarissa street, if included in the ordinance.

Accepted by Ald. Tracy and the amendments were adopted.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 18th, 1879. }

To the Honorable the Common Council of the City of Rochester—

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2079, for Davis street sewer has been completed.

The amount to be assessed upon the property benefited, including any interest the city shall incur, or is entitled to for the use of its funds, is \$852.56.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT, ASSESSMENT No. 2,079.

Whereas, The Common Council did upon the 12th day of August, 1879, enact, an ordinance for pipe sewer in Davis street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$57.58, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Davis street from Finney street to a point 157 feet east therefrom.

Therefore, Resolved, That the sum of \$57.58, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 3d day of January, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

CITY TREASURER'S OFFICE,
ROCHESTER, Dec. 18th, 1879. }

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,087, for Drayton street plank walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$45.15.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,087.

DRAYTON STREET PLANK WALK.

Whereas, The Common Council did upon the 21st day of October, 1879, enact an ordinance for plank walk on Drayton street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$45.15, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on the north side of Drayton street, from Hudson to North street.

Therefore, Resolved, That the sum of \$45.15, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said City so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 3d day of January, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

CITY TREASURER'S OFFICE,
ROCHESTER, Dec. 18, 1879. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,073, for East Main street walk, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$6,731.05.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,078.

EAST MAIN STREET WALK.

Whereas, The Common Council did upon the 12th day of August, 1879, enact an ordinance for East Main street flag walk.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$6,731.05, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of East Main street from University avenue to Goodman street.

Therefore, Resolved, That the sum of \$6,731.05, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 3d day of Jan., 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 18th, 1879. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,062, for opening a street through the Hair property, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$4,816.21.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,062.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for opening a street through the Hair property;

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$4,816.21, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

One tier of lots on each side of East Main street, from Franklin street to the N. Y. C. & H. R. RR. Co.'s property; excepting the property through which it is proposed to open the new street; also, the territory enclosed within the following described boundary lines: Commencing at the intersection of East Main street and Goodman street, thence northerly on Goodman street and including one tier of lots on the west side thereof to Bay street, also the lot on the northwest corner of Bay street and Goodman street, thence easterly along Bay street, and including one tier of lots on the north side thereof, to the city line, thence southerly along the city line to the northerly line of the N. Y. C. & H. R. RR. Co.'s property, thence westerly along the northerly line of the N. Y. C. & H. R. RR. Co.'s property to Goodman street, thence northerly on Goodman street to the place of beginning; also the property lying on the southerly side of the proposed street, known as the Wamsley property.

It is proposed to grade the new street, known as the Hair property.

Therefore, resolved, That the sum of \$4,816.21, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, the Assessors of said city, not interested in any of the property so benefited, and not of kin to and person so interested, are hereby designated and directed to make an assessment upon all the lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for the purpose, on Saturday, the 3d day of January, 1879, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Dec. 18th, 1879. }

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,038, for Campbell street sewer has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$964.77

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO 2,083.

Whereas, The Common Council did upon the 23d day of September, 1879, enact an ordinance for pipe sewer in Campbell street.

And, Whereas, the City Treasurer has reported the actual expenses of said improvement to be the sum of \$964.77, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of lands on each side of Campbell street, from Saxton street to Grape street.

Therefore, Resolved, That the sum of \$964.77, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 3d day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted.

Ayes—Ald. Tracy, FitzSimons, Westbury, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

UNFINISHED BUSINESS OF PREVIOUS MEETING.

The resolution of Ald. Chambers offered at a previous meeting in regard to naphtha lamps in the 8th ward was indefinitely postponed on motion of Ald. Mandeville.

By Ald. Hart—Resolved, That the Mayor be and is hereby authorized to enter into contract with the National Gaslight Co. for 400 additional naphtha lamps to be placed on lamps now burning kerosene oil, on the all night and every night system for the sum of (17.85) seventeen dollars and eighty-five cents per lamp per year. The contract to be made on or before Jan. 15th, 1880, for the term of one year; said lamps to be distributed by the Lamp Committee.

Ald. Westbury moved that the sum named per lamp be \$14.

Ald. Hebing moved to postpone two weeks. Lost.

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Weaver—6.

Nays—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Knobles, Hart—10.

Ald. Westbury moved to refer to the Lamp Committee to advise with the naphtha lamp contractor and get the lowest terms for lighting.

Ald. Tracy moved as an amendment that the number be 200 and that the matter be referred to the Lamp Committee to distribute the lamps.

Ald. Westbury's motion was lost.

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Edelman, Weaver—8.

Nays—Ald. Tracy, Chambers, Chace, Mandeville, Vay, Wickens, Knobles, Hart—8.

Ald. Tracy's motion was lost.

Ayes—Ald. Tracy, FitzSimons, Warren, Hebing, Mandeville, Wickens—6.

Nays—Ald. Westbury, Otis, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—10.

Ald. Otis moved that the matter lie on the table until such time as the Lamp Committee shall have distributed the 400 naphtha lamps now in use.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Mandeville, Wickens, Weaver—9.

Nays—Ald. Tracy, Chambers, Chace, Vay, Edelman, Knobles, Hart—7.

Ald. Hart moved to adjourn. Lost.

Ayes—Ald. Chambers, Chace, Vay, Edelman, Knobles, Hart—6.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Mandeville, Wickens, Weaver—10.

Ald. Crouch moved that the Special Lamp Committee be directed to transfer the 400 naphtha lamps at once.

Ald. Knobles moved to substitute the Lamp Committee for the Special Committee. Accepted by Ald. Crouch, and the resolution was adopted.

EXECUTIVE BUSINESS.

Ald. Crouch moved to proceed to ballot for Commissioner of Deeds. Adopted.

Wm. N. Tubbs and George Raines having received the requisite number of votes were declared elected Commissioners of Deeds.

MISCELLANEOUS.

By Ald. Tracy—

Resolved, That John McDonald be granted a license for the sale of foreign and domestic fruits, &c., in the streets of this city, by paying into the City Treasury the sum of five dollars. Adopted.

By Ald. FitzSimons—Resolved, That the Treasurer be and he is hereby authorized to draw the city's notes as follows, and get the same discounted, and charge the discount to the Contingent Fund:

A note or notes for \$125,000, to meet a like amount of notes maturing June 13th, 1880.

Also, notes for \$50,000, as provided in section 84 of the city charter, being for interest on bonds and expenditures of the various funds, this amount being represented by taxes and assessments levied but not collected. Adopted.

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Westbury moved that the matter of George Dowd be referred to the Law Committee, with directions to settle the suit, if thought advisable. Lost.

Ayes—Ald. Tracy, Westbury, Crouch, Chambers, Chace, Hart—6.

Nays—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—10.

By Ald. Warren—Resolved, That the Clerk draw an order in favor of the Monroe County Savings Bank for Two Hundred Dollars, and charge Erroneous Assessments. The same being for erroneous assessments upon property owned by said Savings Bank situated upon West Main street, 1st Ward.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. Warren—Whereas, Lots Nos. pts 62 and 68 of the Caledonia Tract, Glasgow street, Third

Ward, was assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Dec. 30th, 1879, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$56.67 with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 30th, 1879. }

Geo. D. Williams, Treasurer.

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the general city tax for the year 1880, to Miranda Peart, viz:

Lots No. 62 and 63 pts Caledonia Tract, south side of Glasgow street, Third Ward, 76 feet front, 78 feet rear, and 117 feet deep, and that the owner of said property should pay as her portion of General City Tax, 1879, the sum of \$56.67, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Dec. 30th, 1879,
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Mandeville—Petition of William A. Gally.

Ald. Mandeville moved that section 17 of general ordinances relating to distributing handbills, &c., in the streets, be suspended until the Charter Amendment Committee reports.

Ald. Westbury moved to refer to the Charter Amendment Committee. Lost.

Ayes—Ald. Tracy, FitzSimons, Westbury, Chambers, Edelman, Knobles, Hart—7.

Nays—Ald. Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Weaver.

The motion of Ald. Mandeville was adopted.

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart, —14.

Nays—Ald. Westbury, Chambers—2.

Ald. Mandeville moved to suspend the rule to adjourn at 11 o'clock. Adopted.

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. Tracy, Westbury, Chambers—3.

By Ald. Mandeville—Resolved, That the Finance Committee be and are hereby instructed to employ a competent person to examine the books in the office of the City Treasurer, and report the result of such examination to this Board.

Ald. Hart moved to strike out the words "to employ a competent person" Lost.

Ayes—Ald. Chace, Knobles, Hart—3.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, —13.

Ald. Mandeville's resolution was adopted.

Ald. Warren moved to adjourn. Adopted.
EDWARD ANGEVINE, City Clerk.

In Common Council, Jan. 13th, 1880.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers,

Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the last meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Tracy—Bills of

B. F. Thomas, Lamp Pots.....	\$34 00
M. Huntington, Glass.....	3 00
Goodale & Stiles, Lamp-tips.....	36 00

Referred to the Lamp Committee.

By Ald. Warren—Petition of J. A. Eastman to redeem land from taxes at 7 per cent. interest. Referred to the Assessment Committee.

By Ald. Crouch—Bills of

Louis Boss, bread.....	\$379 26
Home of Friendless, board of inmates.....	89 00
J. Schutte, transportation.....	76 84
C. E. Woodward, agent, groceries.....	10 00
Burk, FitzSimons, Home & Co., dry goods.....	33 00
Spencer & stalker, stove.....	9 85
George Engert, coal.....	2 35
James W. Breaky, wood.....	40 25
City Hospital, board of inmates.....	942 04
St. Mary's Orphan Asylum, board of inmates.....	951 31
Home of industry, board of inmates.....	149 32
St. Mary's Hospital, board of inmates.....	3,099 32
St. Patrick's Orphan Asylum, board of inmates.....	737 33
Rochester Orphan Asylum, board of inmates.....	836 35
St. Joseph's Orphan Asylum, board of inmates.....	834 51
S. Wheeler, rent.....	8 00
S. E. Roby, rent.....	37 50
F. H. Smith, meat.....	150 00
Frank Reis, meat.....	1 05
H. Lanaknecht, meat.....	100 00
John Fisher, meat.....	100 00
J. A. Otto, groceries.....	22 50
W. & J. M. Aikenhead, candles.....	24 78
Curran & Goler, medicine.....	10 85
L. Boss, bread and crackers.....	104 45
George F. Murz, meal.....	12 50
George Schofield, transportation.....	27 02
A. H. Cork, groceries.....	18 75
Buckley & Co., groceries.....	14 25
Wm. Moran, sundries.....	4 05

Referred to the Poor Committee.

By Ald. Chambers—Remonstrance against the sewer in the Genesee Valley Canal. Referred to the Sewer Committee.

By Ald. Chambers—Bills of

Williamson & Higbie, stationery, &c.....	\$40 81
A. K. Tower & Co., stationery.....	1 20
C. E. Morris, stationery.....	240 05

Referred to the Contingent Expense Committee.

By Ald. Mandeville—Bills of

Sherlock & Sloan, labor and material.....	\$23 44
A. H. Cork, brooms and mops.....	2 28
John B. Snyder, hardware.....	26 65
M. Huntington, glass, oil, &c.....	15 01
George W. Connolly, gas fixtures.....	15 42
James R. Chamberlain, packing.....	3 57
Wm. Connors, hardware.....	5 03
Wray & Elwood, repairing locks.....	3 40
Wm. Waldert, repairing locks.....	6 50
John C. King, repairing chairs.....	1 25

Referred to City Property Committee.

By Ald. Wickens—Petition of David Abeles for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Edelman—Bills of

R. F. Vaughn, grinding lawn mowers.....	\$50 00
-----------------------------------------	---------

Referred to the Park Committee.

By Ald. Edelman—Petition of C. Bidders for permission to move a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Weaver—Bills of

Sherlock & Sloan, material.....	\$659 32
---------------------------------	----------

Referred to the Special Committee on Rearranging Lamps.

By Aid. Hart—Petition of George Hilbert for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Aid. Hart—Bills of

Alex. McLean, expenses for December. \$57 48
B. Frank Enos, expenses for December. 17 00

Referred to Police Committee.

REPORT OF THE POLICE CLERK FOR THE MONTH OF DECEMBER, 1879.

POLICE COMMISSIONERS' OFFICE, }
Jan. 13th, 1880. }

To the Honorable the Common Council:

GENTLEMEN:—I respectfully report the following as the total amount of fines and penalties imposed by the Police Justice for the month of December, 1879, together with the amount collected:

Dec.	Crime.	Penalty.	Paid.
1—James McKenna	drunk	5	2
Id. Bell	..	10	
Lawrence Kehoe	..	10	
Casper Luis	assault	cost 3	
Edward Holden	drunk	10	5
Ed. P. Johnson	embezzlement	cost 3	
Adam Klear	assault	cost 2	
Hannah Schwartz	vio. ord. old fine	55	
2—Chas. Renner	petit larceny	25	
Sarah Timmerman	drunk	5	
James Godwin,	petit larceny	25	
George Swan	drunk	5	5
3—Wm. Pilkington	..	25	
Gotlieb Nodecker	assault	25	
Barret Smith	..	25	
Chas Nodecker	..	25	
Margaret Yager	drunk	5	
Patrick Murphy	..	10	
Cath. Murphy	..	10	
James Murphy	..	10	
Wm. A. Galy	vio. ord.	10	10
4—Wm. Hitchens	drunk	10	5
Mathias Gaertner	..	10	5
5—Ida Martin	..	10	5
Catb. Warren	..	10	5
Maggie Connors	..	5	5
John Parish	..	5	5
George Fohal	vio. ord.	10	5
Patrick Ward	..	10	5
6—James Cochrane	drunk	5	5
Chas. Burnham	petit larceny	25	10
8—Ellen Columbus	drunk	5	5
Chas Hernan	..	5	5
Wm Smith	assault	15	10
Thos Outway	drunk	5	5
Maggie Reardon	..	5	5
Geo Lanenecht	..	10	5
9—John McMannis	..	5	5
Kate Doyle	..	10	5
Frank Baldwin	..	10	5
Wm Johnson	..	10	5
Wm Barnett	..	5	
James Lanuen	old fine	10	10
10—Eliza Coffey	drunk	10	
Bridget McGann	..	10	
Joseph Hooper	..	5	
Thos Williams	..	5	
Wm Leach	..	5	
11—John Hill	vio ord	25	
Hattie Kelt	..	25	
James Hackett	drunk	5	
Henry P Wilson	..	5	
12—Victor Broasche	..	5	2
Minnie Davis	vio ord	30	
Thos O'Brien	drunk	5	
Wm Sullivan	..	5	5
Geo Bosley	..	5	5
Carrie De S ulmier	vio ord	10	5
Jennie Russell	assault	10	10
13—Mary Wilson	drunk	10	5
Wm Lawrence	assault	cost 2	
Jeremiah Hayes	drunk	5	
15—Geo Biffen	..	10	5
John Brush	assault	10	5
Mary Clark	drunk	5	10
Frank Eberly	vio ord	10	
Dani Donnelly	dist'g ret meeting	25	
Albert Weis	assault	10	10
Beatie Prues	..	10	10
16—Geo Biffin	..	25	
Pak Donnell	..	5	
Emma Hinchcliff	vio. ord.	50	
17—John Sweeney	drunk	10	
Amanda Hamilton	vio. ord.	100	
Libbie Hamilton	..	50	
Esther Johnson	..	50	
Joseph Williams	drunk	5	
Mary Welsh	vio. ord.	100	50

18—Arndt Rosenthal	drunk	5	
Philip C Tewksbury	..	5	
19—John A Hall	..	10	10
Martin Mundon	..	10	10
Lorenzo C Ward	fraud	cost 5	
20—Joseph Hooper	drunk	5	5
Ann FitzSimons	..	5	5
Barney Dolan	..	10	
22—Fred Vahue	..	5	8
John Donnelly	..	5	5
David Champion	petit larceny	10	10
Jesse Wilson	drunk	10	5
Rhinehart Krausa	..	5	5
23—John McGuire	..	5	
Milton McElroy	..	5	
Wm Porter	assault	cost 2	
24—James Shehan	drunk	5	5
David Niven	..	5	5
25—James Williams	..	5	5
26—Henry Reed	..	5	5
Henry Brown	..	10	
Rose O'Hara	assault	20	
Joseph Hart	drunk	5	
Pat'k S. Hurley	drunk	5	4 75
Isaac Botch	assault	10	
27—James O'Maley	drunk	10	
Benj McCarty	assault	25	
29—Walter Gibbs	drunk	10	
Pat'k Kinling	..	5	5
Ambrose Moran	assault	25	5
Chas Kline	vio ord	3	3
John Melkinson	contempt of court	5	
30—John Black	drunk	5	
David Carroll	..	10	
31—John Hiltzenbach	..	5	
Joseph Nolan	petit larceny	15	
Wm Smith	drunk	5	
Wm Wagner	..	5	
Sale of unclaimed property	..		31

I do hereby officially certify that the foregoing report in relation to money received by me for fines and penalties imposed by the Police Justice for the month of December, 1879, is true.

B. FRANK ENOS, Clerk.

13th day of January, 1879.
PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published.
By Aid. Hart—Petition for lamps in Almoth street and Henrietta avenue. Referred to the Lamp Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Edelman, from the Park Committee; Ald. Weaver, from the Special Committee on Re-arranging Lamps; Ald. Hart, from the Police Committee; reported in favor of the various bills referred to their respective Committees, and referred them to the Finance Committee for payment.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By the Clerk—
WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER,)
ROCHESTER, N. Y., Jan. 12, 1880.)

To the Common Council:
In accordance with the requirements of law I transmit herewith:

A Statement showing expenditures by this Board in the month of December, 1879, and the condition of the several funds in the charge of this Board at this date.

Respectfully,
V. FLECKENSTEIN, Clerk.
WATER WORKS AND FIRE BOARD,
OFFICE CITY HALL, Jan. 1, 1880.)

STATEMENT

expenditures by the Water Works and Fire Board in the month of December, 1879, and of the condition of the several Funds in the charge of the Board at this date.

EXPENDITURES.	
Water Works Fund.....	\$3,322 75
Water Pipe Fund.....	720 80
Fire Department Fund.....	4,232 25
Amount of orders credited to City Treasurer.	\$ 8,825 80
	8,825 80

MONTHLY BALANCE SHEET—CONDITION OF FUNDS.
Credit Balances

Water Works Fund.....	\$14,440 59	
Water Pipe Fund.....	550 73	
Water Works Fund Special.....	1,515 47	
Fire Department Fund.....	18,264 75	
Debit Balance.....		
City Treasurer.....	\$34,771 54	
	\$34,771 54	\$34,771 54

[Official.] V. FLECKENSTEIN,
 Clerk Water Works and Fire Board,
 OFFICE OF WATER WORKS AND FIRE BOARD,
 Dec. 31, 1879.

DETAILED STATEMENT OF EXPENDITURES IN THE MONTH OF DECEMBER, 1879.

Water Works Fund.

December 5.		
C. E. Darrow, stationery.....	\$ 4 50	
Western Union Telegraph Co., tele- graphing.....	2 65	
G. B. Stewart, coal for pump house.....	39 60	
E. H. Cook & Co., plumbers materials.....	6 54	
Weekly pay roll, services and repairs.....	150 88	
Powers & Weightman, vitriol.....	58 20	
Morris Bortle, posts for protecting troughs.....	2 50	
Geo. W. Aldridge, building desk, rail- ing, &c.....	134 38	
Goodale & Stiles, lamp chimneys, etc.....	4 30	
Geo. B. Harris, services in office.....	9 59	
M. A. Warren, conveyance to Rush.....	2 50	
Robert Boyd, cups and chains.....	90	
Blakely, King & Carey, pipe and fit- tings.....	24 01	
		\$ 420 08

December 12.		
Postage stamps.....	5 00	
J. W. McKinley, hardware.....	2 90	
Wm. Burk & Co., hardware.....	22 50	
W. J. Wilcox, stationery.....	9 25	
J. McMahon, damages to land on con- duit line.....	4 00	
J. Peer, damages to land on conduit line.....	2 00	
Geo. B. Harris, services in office.....	9 59	
Drullard & Hayes, water pipe.....	1,344 00	
Robert Crennell, labor on conduit line pay roll, labor at pump house.....	5 25	
Pay roll, services and repairs.....	124 75	
A. V. Smith, packing trunk.....	2 00	
A. K. Tower & Co, stationery.....	1 50	
Henry D. Blackwood, whitening walls B. F. Blackall, disbursements for tele- graph line.....	5 02	
School tax, town of Brighton.....	3 09	
Office disbursements.....	8 63	
		\$1,553 28

December 19.		
A. H. Kassaell, board of horse.....	40 00	
Expenses for inspection of conduit line.....	15 90	
M. D. Tarba, charcoal.....	3 15	
J. H. Hill, copper wire.....	1 71	
Geo. B. Harris, service in office.....	9 59	
Craig & Crouch, lumber.....	2 40	
Weekly pay roll, service and repair.....	116 00	
Spencer & Stalker, plumbing materials Co-Operative Foundry Co., trough.....	1 10	
A. D. Glover, painting.....	15 52	
James Hart, horse blanket.....	1 50	
James Hart, horse blanket.....	8 85	
D. R. Barton, Tool Co., repairs.....	8 62	
		224 34

December 26.		
Operating expenses, monthly pay roll Service and repair weekly pay roll.....	1,806 87	
Geo. B. Harris, service in office.....	103 00	
Milton E. Gray, erecting building at Hemlock Lake, and furnishing mat- erials.....	9 59	
	175 00	
Office disbursements.....	7 69	
J. Forbes Potter, water lime.....	3 00	
Frank McKenna, calipers.....	2 50	
S. B. Williams, naphtha.....	60	
Executive Board, labor on hydrants (sprinkling).....	7 46	
		1,615 51

December 31.		
Geo. B. Harris, service in office.....	9 59	
		9 59

Total charged to Water Works Fund....\$3,822 75

Fire Department Fund.

December 5.		
Rubber Clothing Co., firemen's but- tons.....	12 50	
H. Goetzman, ice.....	12 50	
J. Lovcraft & Son, horse bedding.....	15 00	
L. S. Gibson, bill for washing.....	15 85	

Jas. Field, material and repairs.....	5 04
Sibley, Lindsay & Curt, cloth for fire- men's uniforms.....	337 60
Rochester Gas Light Co., gas.....	21 75
Thomas Brooks, harness repairs.....	51 80
Conrad Schey, pasturing horse.....	10 00
L. S. Gibson, carrots.....	11 50
Hay.....	14 78

Dec. 12.		
Wm. Burke & Co., hardware.....	11 01	
B. F. Blackall, disbursements for tele- graph.....	12 50	
Dr. S. A. Pierce, reducing fracture of N. Oldfield's arm, broken while on duty.....	40 00	
J. B. Snyder, stove fixtures.....	4 25	
H. W. Averill, repairing hose.....	1 20	
Connell & Dengler, repairing apparat- us.....	5 00	
Co-Operative Foundry Co., plating.....	6 00	
		79 96

Dec. 19.		
Smith & Oberst, material and repairs.....	52 43	
Water Works Fund, vitriol.....	114 07	
		166 50

Dec. 26.		
Monthly pay roll.....	2,261 83	
V. Fleckenstein, salary.....	166 67	
C. C. Woodworth, salary.....	166 67	
Office disbursements.....	7 30	
		2,602 47

Dec. 31.		
Protectives, S. & B. Co., quar. appro- priation.....	375 00	
Alert Hose Co., do.....	275 00	
Active Hose Co., do.....	275 00	
		925 00

Total charged to Fire Dept. Fund.. \$4,282 25

Water Pipe Fund.

Dec. 12.		
John Creagan, partial estimate group 48.....	30 00	
F. C. Lauer, partial estimate group 45.....	180 00	
Drullard & Hayes, final estimate for water pipe.....	518 30	
		718 30

Dec. 19.		
D. R. Barton Tool Co., repairs.....	2 50	
		2 50

Total charged Water Pipe Fund.... \$720 80

WATER WORKS FUND.

OPERATING EXPENSES—MONTHLY PAY ROLL, Dec. 1879.

J. N. Tubbs.....	\$233 34
E. Kuichling.....	133 38
Thos. H. Rogers.....	55 00
T. J. Neville.....	125 00
C. A. Padley.....	75 00
L. M. Mandeville.....	50 00
W. N. Tubbs.....	40 00
S. C. McKay.....	90 00
Henry C. Smith.....	75 00
E. J. Healey.....	45 00
P. J. McCracken.....	45 00
J. McMahon.....	50 00
D. S. Almstead.....	50 00
C. W. Almstead.....	40 00
Alexander Gray.....	40 00
T. M. Blossom.....	40 00
R. Crennell.....	60 00
S. H. Oviatt.....	60 00
	\$1,806 67

SERVICE AND REPAIRS.

PAY ROLLS FOR DECEMBER, 1879.

Dec. 31.		
P. Fleming.....	\$48 00	
E. A. Maher.....	48 00	
John King.....	40 50	
Frank Curran.....	43 00	
L. Adster.....	42 00	
H. Weber.....	42 00	
Frank McKenna.....	29 75	
J. Gallagher.....	34 38	
P. McKenna.....	81 25	
Peter Leck.....	29 37	
Ed. Farley.....	1 00	
Wm. McCarthy.....	23 25	
Aug. Burbott.....	15 00	
Chas. Pitzgi.....	14 00	
Chas. Besholic.....	4 00	
John Storms.....	1 00	
Peter Hardy.....	3 00	
John Bryan.....	1 00	
John Kelly.....	1 50	
John Kennedy.....	2 00	
John Kunnane.....	50	
Gus Burbott.....	1 00	
	\$474 18	

FIRE DEPARTMENT PAY ROLL FOR DEC., 1879.

L S Gibson, Chief Engineer.....	\$ 120 00
J Malcomb, Assistant	33 33
B F Blackall, Supt. F. A. Telegraph.....	112 50
P P Foreman, Supt. Hose Dept.....	60 00
P J. Hartel, eng'r and fore'n No. 1	60 00
M. Lumbert, driver	50 00
Thos Cole, hoseman	50 00
John Colbert,	50 00
Chas. Whitbeck	50 00
Frank A Jaynes, foreman No. 2	55 00
Charles Weaver,	50 00
J. B. Teller, hoseman	50 00
E. H. Mix,	50 00
F. C. Whitbeck,	50 00
J. P. Topham, f'mn and engl. No. 3	60 00
C. Armstrong, driver	50 00
J. McCormick, hoseman	50 00
Charles Little,	50 00
Owen Lynch,	50 00
Sam'l Bemish, foreman No. 4	55 00
Bernard Kearney, driver	50 00
Leo White, hoseman	50 00
George E Baker,	55 00
J. McMullen,	50 00
Joseph Ringelstein, foreman H. & L. No. 1	50 00
J Plunkett, ass't	55 00
Thos Rice, tillerman	56 00
E. H. Roark, driver	50 00
James Snider, ladderman	41 00
F. O'Meara,	50 00
Frank Huck,	50 00
Wm. Fogarty,	50 00
Wm Boon eng'r and forem'n H. & L. No. 2.....	60 00
M S Butler, driver	50 00
Frank spears, ladderman	50 00
Thos. Whitley	50 00
Chas Schafer	50 00
E. Finzer,	50 00
Jerome P Dowd, foremn Chem Ext'r	60 00
Nicholas Oldfield pipeman	60 00
R Pendlebury, driver	50 00
Edmund Barker ass't pipeman	50 00
Total	\$2,261 83

PAY ROLL.

<i>Work Done at Pump House, Dec. 1879.</i>	
Philp Neville.....	\$1 60
Hugh Quinn.....	75
	\$1 75

Ordered received, filed and published.
By the Clerk—

EXECUTIVE BOARD CITY OF ROCHESTER,
ROCHESTER, N. Y., Jan. 1, 1880. }

To the Common Council:

I have the honor to transmit herewith :
1. A statement showing the expenditures of the Executive Board for all purposes during the month of December, 1879, accompanied by condensed summaries of finance budgets and weekly pay rolls.

2. A balance sheet showing the condition of the several funds in the charge of the Executive Board at this date, which please receive as official.

Respectfully your obedient servant,
FRANCIS P. KAVANAGH,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
OFFICE CITY HALL, Rochester, Dec. 31, 1879. }

STATEMENT of expenditures by the Executive Board for all purposes during the month of December, 1879.

Total amount of all orders drawn upon the City Treasurer during the month.....	\$8,198 22
Funds Debited.	
Highway Fund.....	3,119 48
Sidewalk Repair Fund.....	348 68
Salary and Expense Fund.....	834 66
Davis Street Pipe Sewer.....	2 00
Campbell street pipe sewer.....	1 00
Drayton street walk.....	45 15
Lime street walk.....	52 69
Opening st through Hair property.....	4,175 00
Sundry Sprinkling Funds.....	114 57
	\$ 8 198 22

MONTHLY BALANCE SHEET.

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 31st day of December, 1879.

Debit Balances:	
E. Main Street Improvement.....	28,927 97
Hudson Street Improvement.....	17,625 55
Sidewalk Repair Fund.....	2,588 81
Sundry Street Sprinkling Funds, 19 in number.....	4,591 53
Cr. Balances:	
City Treasurer.....	\$30,753 67

Highway Fund.....	18,382 39
Macadam Stone Fund.....	1,383 81
Salary and Expense Fund.....	3,214 49
	53,684 56

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
Office, City Hall, December 31, 1879. }

Summary of payments in the month of December, 1879, as per Finance Budgets.

Highway Fund.

Weekly pay rolls for labor, five pay-ments.....	\$2,239 01
Rochester Lime Co, water lime	60 60
H A Kingsley & Co, nails and hardware	4 45
Littlefield & Seifried, nails.....	3 85
Emrich Bros, blacksmithing.....	13 70
James Field, waste for s. roller.....	45
J R Chamberlin, agt, supplies for s. roller	4 31
Howe & Snyder, setting pump	1 65
A H Kasseall, stabling	20 00
James Dolan, Macadam stone.....	23 25
Geo W Aldridge, office furniture.....	33 89
Geo B Harris, services, five payments.....	76 70
A M Moser, coal.....	17 50
CConnell & Bengier, repairs machinery	17 24
Whitley & Bauer, services on bridge.....	6 00
H Hoffman, blacksmithing.....	1 40
Chace & Myers, lumber	107 77
H L Fish, ass't supt, operating bridge.....	40 00
Holister & Co, oak lumber	67 84
Chase & Otis, lumber.....	56 60
Dennis Sheehan, services on s. roller.....	40 12
J Hogan, labor omitted in pay roll	2 00
C Spencer, cartage.....	1 00
J W Breaky, attending G. V. C. bridge.....	42 67
A Klein, blacksmithing.....	6 85
R & W Williamson, work at Allen st. bridge	12 35
Craig & Crouch, lumber at Allen st. bridge	3 25
G W & C T Crouch, lumber at Allen st. bridge	11 48
Heirs of P J Dowling, balance of salary	50 00
W Burke & Co, spike for bridges.....	91 31
George Miller, 66 loads gravel.....	65 60
S A Millington, signs for bridge	12 00
Waterworks and Fire Board, repairing sewer.....	8 25
Total	\$8,119 48

Sidewalk Repair Fund.

Chace & Myers, lumber.....	\$247 80
W. B. Davis, labor, 2 days, \$1.50.....	3 00
James H. Moore,	30 00
James P. Clark,	31 13
John B. Kase,	16 87
Peter Reeder,	19 88
Total	348 68

Salary and Expense Fund.

J. R. Chamberlin, agent, rubber bands.....	\$ 1 32
F. P. Kavanagh, salary.....	166 67
F. C. Lauer, Jr.,	166 66
Total	334 65

Davis Street Sewer Fund.

James Holahan, inspector, 1 day, \$3.....	2 00
-------------------------------------------	------

Campbell Street Sewer Fund.

W. M. Webb, contractor, extra work.....	1 00
-----------------------------------------	------

Drayton Street Walk Fund.

W. M. Webb, contractor, final estimate	45 15
----------------------------------------------	-------

Lime Street Walk Fund.

A. C. Bowen, contractor, final estimate	52 69
-----------------------------------------------	-------

Opening Street Through Hair Property.

Sundry parties, amount awarded by commissioners and confirmed by Common Council..... 4,175 00

Street Sprinkling Funds.

State st. and Lake ave., repairs	\$11 56
East ave., sec. 1, sprinkling and repairs	12 20
.. sec. 2,	11 88
.. sec. 3, repairs.....	14 37
East and West Main sts., repairs	24 31
West ave.	21 21
Clinton st.,	11 00
Lake ave.,	7 99
Total.....	114 57

Total expenditures..... \$8,198 22

Wonder, Jacob	7½	7 50
Weich, Moses	3	3 00
Weingartner, Chris.	2	2 00
Wiley, James	1	1 00
Weiser, John	4	4 00
Young, August	12¾	12 75
Yost, Christian	2	2 00
Yunger, George	3¼	3 25
Kraft, William, toolman	3 wks 9 00	45 00
Steinhauser, W. J. clerk	5	11 54
Dowling, Patrick J Superintendent	3	26 92
Ames, Edwin, team	8	3 00
Armstrong, John	6½	19 50
Alp, George	2	6 00
Burke, Michael	4¼	13 50
Bayer, Peter	10½	31 50
Barry, John	3	9 00
Breakey, J. W.	3¼	9 75
Bedard, William	4	12 00
Bauer, Charles F.	8	24 00
Comons, George	10	30 00
Cram, Henry H	7	21 00
Clarke, John	1	3 00
Colvin, Frank	1	3 00
Crissy, George	3	9 00
Eisenhauer, John	12½	37 50
Eble, Joseph	12	36 00
Eicker's John	8½	25 50
Fisher, Benjamin	5	15 00
Gungler, George	1	3 00
Haraty, Joseph	15½	46 50
Hollis, William	4½	13 50
Kester, George	2	6 00
Kennedy, John	9½	28 50
Kelly, Dennis	8½	25 50
Knopf, John	2	6 00
Loagan, James	5	15 00
Miller, Michael	7¼	21 75
May, Martin	6	18 00
Moffat, Michael	1	3 00
Mason, John C.	2	6 00
Nicholas, George	9	27 00
Nolan, Peter	2	6 00
Oliver, Peter	11	33 00
Rosney, Patrick	14	42 00
Ryan, Michael	5	15 00
Roth, John	1	3 00
Ryan, Patrick	2	6 00
Slatery, John	9	27 00
Smith, John	5	15 00
Stuppe, John	3	9 00
Smith, William	3	9 00
Sieger, Hugh	3	9 00
Sieger, George	3	9 00
Stevens, George	2	6 00
Strewing, Ernst	3	9 00
Snickel, William	2	6 00
Ward, Frank	18¾	56 25
Waring, Henry	1	3 00
Sharp, George	1	3 00

Total \$2,239 61

Ordered received, filed and published.

By the Clerk—

EXECUTIVE BOARD,

OFFICE, CITY HALL, Jan. 5, 1880.

To the Common Council.

The Executive Board respectfully represent to your honorable body that an ordinance numbered 2,051 was passed March 18, 1879, which provided for the construction of an iron lift bridge over the Erie canal at Brown street at an estimated expense of \$6,400; that in due course the Executive Board advertised for proposals for the construction of said bridge; that at the expiration of the time named for the receipt of proposals but one proposal was received, viz., that of the Leighton Bridge and Iron Works Co. (limited) of Rochester, who submitted a tender for the entire work according to specifications for the sum of \$6,300.

The Executive Board further represents that at the time the said proposal was received the iron lift bridge at Allen street was in process of erection, but was not so far advanced as to enable any person to determine whether it would prove to be satisfactory in construction or operation; that many of the taxpayers for the Allen street bridge expressed grave doubts as to its successful operation when completed, which feeling of doubt extended to the taxpayers interested in the construction of the

bridge at Brown street, and was so freely expressed as to influence the members of this Board to delay the letting of the work until such time as the Allen street bridge should be completed and by its operation proved to be a success; and accordingly this Board at a meeting held April 18, 1879, resolved:

"That the proposal of the Leighton Bridge and Iron Works Co. for the construction of Brown street lift bridge be received, placed on file, and action postponed."

No action was taken in the matter of this letting until Dec. 12, 1879, when the work was awarded to the Leighton Bridge and Iron Works Co. at their proposal, \$6,300.

This company has declined to enter into a contract to perform the work, for reasons stated in a letter of Jan. 3, 1880, submitted herewith.

This Board submits the case to your honorable body to the end that such action may be taken as may be necessary.

FRANCIS P. KAVANAGH,
Clerk of the Executive Board.

Ordered received, filed and published.

By the Clerk—

ROCHESTER, Jan. 3d, 1880.

Francis P. Kavanagh, Esq., Clerk of the Executive Board, City of Rochester:

DEAR SIR: We decline to accept the contract for the Brown street lift bridge, on account of the advance in iron since making the tender over a year ago. Yours respectfully,

LEIGHTON BRIDGE AND IRON WORKS.

Ordered received, filed and published.

By the Clerk—

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, Jan. 13, 1880.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 13th day of January, 1880, as required by section 59 of the City Charter:

Credit Balances.

Contingent Fund	\$24,051 98
Police Fund	8,536 96
Lamp Fund	13,399 21
Poor Fund	10,394 50
Park Fund	43 05
Board of Health Fund	1,976 22
Home for Truants Fund	9 10
City Property Fund	2,496 44
Search Department Fund	750 65

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 13th day of January, 1880.

PETER SHERIDAN,
Commissioner of Deeds.

Ordered received, filed and published

By the Clerk—

CITY CLERK'S OFFICE,
ROCHESTER, N. Y., Jan. 13, 1880.

To the Hon. Common Council:

In accordance with section 29, Revised City Charter, I report the following as having qualified and taken the oath of office:

EXCISE COMMISSIONER.

Chas. F. Wolters.

COMMISSIONERS OF DEEDS.

H. S. Martindale.

Edward Yarton.

Wm. N. Tubbs.

Adolph Hirsch.

Geo. Rames.

EDWARD ANGEVINE, City Clerk.

Ordered filed and published.

FINANCE BUDGET.

ROCHESTER, N. Y., Jan. 13, 1880.
By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable:

CONTINGENT FUND.

Joseph Corbin, serving notices.....	\$0 64
City Messengers, hack hire.....	15 00
Roch. Printing Co., pub. notices, blanks, &c.....	57 50
John P. Smith, printing.....	10 00
James H. Upton, hack hire.....	3 00
E. Angevine, expenses.....	1 50
And charge that fund.....	

POOR DEPARTMENT FUND.

A. Bauerschmidt, meat.....	\$75 00
Smith, Perkins & Co., groceries.....	478 43
	15 40
L. A. Wheeler, meat.....	100 00
E. O'Reilly, burials.....	100 00
Fred. Wurtz, meat.....	50 00
H. Heddlch, meat.....	100 00
James H. Phelan, shoes.....	45 50
P. Joyce, burials.....	48 00
A. H. Martin, groceries.....	32 50
John Hahn, meat.....	100 00
L. A. Pratt, shoes.....	18 25
And charge that fund.....	

CITY PROPERTY FUND.

John R. Brady, labor and material.....	\$ 121 00
Roch. Gas Co., gas City Hall and F. S. B. Nov. for city building. Dec.....	115 50
J. Tallman, soap.....	4 00
And charge that fund.....	

LAMP DEPARTMENT FUND.

Gilbert Brady & Co., paving and labor rearranging lamps.....	\$8 26
Citizens' Gas Co. rearranging lamps.....	188 15
Rochester care of lamps for mo. Dec.....	175 92
	1,688 89
Citizens' Gas Co.....	2,195 31
National Gas Lt. Co.....	388 94
Charles A. Jeffords, care of lamps for Dec.....	186 95
B. F. Thomas, lamp pots.....	15 00
And charge that fund.....	

POLICE PAY ROLL FOR DECEMBER, 1879.

Alex. M'Lean.....	\$180 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00
W. J. Rogers.....	75 00
Thos. Lynch.....	75 00
Peter Lauer, Jr.....	75 00
P. C. Kavanaugh.....	75 00
Ferry Marzluff.....	75 00
Thos. A. Burchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker.....	75 00
Jos. P. Cleary.....	75 00
Frank B. Allen.....	65 00
W. R. M'Arthur, 29 days.....	62 93
John J. Garrett, 20 days.....	48 40
Jacob Frank.....	65 00
John C. Haydon.....	65 00
John Wangman, 26 days.....	58 59
Hugh Johnston.....	65 00
John H. Dana.....	65 00
Ed. Van Vorst.....	65 00
Hugh Clark, 30 days.....	65 00
John C. M'Quatters.....	65 00
Wm. H. White.....	65 00
Thos. Dukelow.....	102 00
Patrick H. Sullivan.....	75 00
Chas. M'Cormick.....	75 00
Jos. S. Roworth.....	65 00
Wm. F. Lush.....	65 00
Barth. Crowley.....	65 00
Robt. Burns, 29 days.....	62 93
Ralph Bender.....	65 00
Jacob Harter.....	65 00
Thos. Crouch, 28 days.....	60 76
Andrew Connolly.....	65 00
Wm. P. O'Neil, 29 days.....	62 93
Benj. C. Furthur, 24 days.....	52 08
Wm. H. Keith.....	65 00
John B. Wordell.....	65 00
B. Horcheler.....	65 00
John Mitchell.....	65 00
Robt. M'Kee, 27 days.....	58 59
Chas. E. Fowler.....	65 00
Michael Brady.....	65 00
Wm. M'Kelvy.....	65 00
Joseph Legler, 29 days.....	62 93
Wm. H. DeWitt, 29 days.....	62 93
Nicholas J. Loos.....	65 00
Fred. Griebel.....	65 00
Robert Sloan.....	65 00
Samuel Schwartz.....	65 00
Jas. A. Johnson.....	65 00
Patk. Hoctor.....	65 00

George Smita.....	65 00
Lewis Jessorer.....	65 00
Frank Valne.....	65 00
Michael Caghan.....	65 00
Michael Hynes.....	65 00
Chas. Hart.....	65 00
Frank D. Fay.....	65 00
Geo. Hofner.....	65 00
James P. Flynn, 29 days.....	62 93
John Monaghan.....	65 00
Wm. H. Burgess, 28 days.....	60 76
Henry D. Shove, 28 days.....	60 76
Michael Wolf, Jr.....	65 00
John M. Reis.....	65 00
Charles W. Peart.....	65 00
Wm. Laragy.....	65 00
Louis Noldt.....	65 00
Jerry T'waag.....	65 00
Ed. McDonough.....	65 00
Older Oliver, 27 days.....	58 59
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	65 00
Samuel Gauding.....	65 00
Patrick Holtz.....	65 00
Henry Graven, 29 days.....	62 93
Chas. Stefferd.....	65 00
Frank Skuse.....	65 00
Oliver A. Youle, 29 days.....	62 93
Mich. Hyland.....	65 00
Jacob Markey.....	65 00
B. Frank Horton, Clerk of Commissioners.....	116 67
Examined and approved.....	

C. R. PARSONS,
FRED'K ZIMMER,
JACOB HOWE, JR.,
Commissioner.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

ACTION ON ORDINANCES.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Jan. 7th, 1880.

To the Honorable the Common Council:
GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2089 for Lime street walk has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$52.69.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2089.
LIME ST. PLANK WALK.

Whereas, The Common Council did upon the 18th day of November, 1879, enact an ordinance for Lime st. plank walk.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$52.69 including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

One tier of lots on the north side of Lime st., from Child st. to Whitney st.

Therefore, resolved, That the sum of \$52.69 being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 17th day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Kart—16.
The final ordinance for a sewer in Exchange street was brought up.

Ald. Westbury presented remonstrances from tax payers on Exchange street and South Fitzhugh street. Ald. Westbury moved that the ordinance lie on the table until the next regular meeting. Adopted.

The final ordinance for a sewer in the Genesee Valley Canal came up and allegations were heard. Ald. Chambers moved that it lie on the table for two weeks, and the City Surveyor be instructed to amend

the ordinance so as to read "Stone sewer" instead of brick.

Ald. Fitz Simons moved as a further amendment that the matter lie on the table until legislation is had on the matter in the Legislature.

Lost by the following vote :

Ayes—Ald. Fitz Simons—1.

Nays—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The motion of Ald. Chambers was then adopted.

The final ordinance for the extension of the Lake avenue outlet sewer came up.

Ald. Edelman moved that the ordinance lie on the table until the next regular meeting. Adopted.

Ald. Hart moved a reconsideration of the resolution postponing the matter of 400 additional naphtha lamps passed at the last meeting.

Ald. Edelman moved that the matter lie on the table until the Lamp Committee distribute the lamps.

Adopted by the following vote.

Ayes—Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Mandeville, Wickens, Edelman, Weaver—12.

Nays—Ald. Chambers, Vay, Knobles, Hart—4.

Ald. Hart called up the following :

To the Common Council of the City of Rochester :

GENTLEMEN—At a meeting of the joint Committees of Citizens and Common Council on Elevated Tracks, held at the Mayor's office this (Tuesday, December 30,) afternoon, after a full interchange of views, the following resolution was unanimously adopted and ordered communicated to the Common Council :

Resolved, That the Common Council be respectfully requested to reconsider their action in regard to elevated tracks, and that they be earnestly requested to adopt the plan substantially as recommended by the Citizens' Committee, and approved by Mr. Vanderbilt.

E. B. CHACE, Ch'n Com.

By Ald. Otis—

Whereas, The negotiations with the New York Central & Hudson Railroad Company have come to an end by reason of the rejection by said railroad company of the plans proposed by this Council for elevated tracks; and,

Whereas, We still recognize the necessity of the adoption of some plan of relief to the city of Rochester, as well as to the said railroad company; therefore,

Resolved, That Messrs. Buell, Barry and Booth, of the Citizens' Committee, and Ald. Chace, Weaver and Mandeville, of this Board, be a committee to continue such further negotiations with the New York Central & Hudson River Railroad Company as in their judgment shall be for the best interest of this city.

Lost by the following vote :

Ayes—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Wickens—8

Nays—Ald. FitzSimons, Warren, Hebing, Vay, Edelman, Weaver, Knobles, Hart—8.

Ald. FitzSimons moved that the Mayor be requested to enforce the ordinance in regard to the New York Central Railroad.

Ald. Otis moved that the word "enforce" be stricken out and the word "suspended" inserted.

Ald. Hart in the chair.

Ald. Tracy moved that the matter lie on the table until the Committee on the Revision of the Charter make their report.

Ald. Otis accepted Ald. Tracy's amendment, and the motion was adopted.

Ald. Hebing moved that when this Board adjourn, it be for one week, to consider the subject of the revision of the charter.—Adopted.

Ald. Westbury moved to reconsider the vote to adjourn.

The chair ruled Ald. Westbury out of order.

Ald. Hebing appealed from the decision of the chair.

The President stated the question to be, Shall the decision of the chair stand the decision of the house. The President was sustained by the following vote :

Ayes—Ald. Tracy, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles—9.

Nays—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Weaver—6.

EXECUTIVE BUSINESS.

Ald. Hebing moved that the Board proceed to ballot for Commissioner of Deeds and that the Clerk cast the ballot. Adopted.

Peter A. Costick, Arthur McDonald and C. F. Wolter's having received the requisite number of votes were declared elected.

By Ald. Tracy—

ROCHESTER, N. Y., Jan. 13, 1880.

Mr. Prest and Gentlemen of the Common Council :

In reply to a resolution passed in Council to change the naphtha lamps from gas to coal oil, there has been nothing said in regard to the extension of the contract. When you take into consideration that our contract expires March 1st, 1880, about a month and a half, it looks rather unjust to ask us to comply with same at our own expense. We wish to comply with the majority's request, but think some provision should be made either to bear the expense of moving same or extension of the contract.

If contract is extended for a year we will bear the expense, which will be about \$200.

Hoping your honorable body will give this your attention, we remain

Yours, resp'y,
NATIONAL GAS LIGHT CO.,
FRENDEGAST.

Ald. Tracy moved that the Mayor enter into contract with the National Gas Co, for one year from the first of March next.

Ald. Hebing moved that the matter lie on the table until the next regular meeting. Adopted.

Ay Ald. FitzSimons—Resolved, That the city's interest in the following tax sales be assigned to Franklin C. Cook upon his paying the amount of the same, with interest, and expenses into the treasury: The north part of lot 40, section D, in the Whitney tract, Lime street, Eleventh Ward, sold for general city taxes for the years 1876 and 1878.

By Ald. FitzSimons—Resolved, That the city's interest in the following tax sales be assigned to Hector McLean upon his paying the amount of the same, with interest, and expenses into the treasury: Lot 16, section C, in the Mumford tract, Kent street, Second Ward, sold for general city taxes for the years 1877 and 1878.

Adopted by the following vote :

Ayes—Ald. FitzSimons, Otis, Hebing, Crouch, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—11.

By Ald. Warren—Resolved, That the City Treasurer be and he is hereby directed to collect of Elizabeth Simpson \$28.35, in full, for city taxes on her premises in the 15th Ward, for the years 1877, 1878 and 1879, and charge the balance of said taxes to Erroneous Assessments. Adopted.

Ald. Warren presented the following assessment rolls, and moved their confirmation: Favor street sewer; Mansion street plank walk; Helena street sewer; Champ lam street plank walk; South Fitzhugh street improvement, Jones street plank walk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Mandeville—Resolved, That the committee having in charge the reception of Mr. Parnell be granted the use of the City Hall for such purpose on the evening of the 26th inst. Adopted.

By Ald. Mandeville—Resolved, That the Common Council, through its Attorney, enter into negotiations with the various parties feeling aggrieved by reason of the closing of Goodman street, and also with those on East Main street who claim to be damaged by the erection of the bridge over the N. Y. C. & H. R. R.R., and for that purpose he be directed to take such legal steps as may be necessary for the appointment of commissioners to assess the amount of the alleged damages.

Ald. Otis moved as an amendment that the matter be referred to the Law Committee.

Lost by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Wickens, Edelman, Weaver—7.

Nays—Ald. Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Knobles, Hart—8.

The original resolution was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. Warren, Hebing—2.

By Ald. Otis—Resolved, That the Senator from this district and member of Assembly from this city be requested to procure the necessary legislation to allow the Common Council of the city of Rochester to close Goodman st.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Vay—Whereas, Great injustice has been done in employing teamsters to work on the streets who are not residents or taxpayers, therefore, be it

Resolved, That the Executive Board be requested not to employ any person who is not a resident of the city, Adopted.

By Ald. Vay—Resolved, That the Finance Committee be requested to devise a proper plan or method to meet the bonded debt of this city so that some fixed amount of each tax levy be appropriated to that purpose, as suggested by the City Treasurer and submit the same to this Council for approval.

Ald. Otis moved that the matter be referred to the Charter Amendment Committee. Adopted.

By Ald. Hart—Resolved, That the Lamp Committee be and are hereby requested to substitute kerosene lamps for all gas lamps in the 12th Ward,

Ald. Wickens moved to include the 16th Ward.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Crouch, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—12.

Nays—Ald. Hebing, Chambers, Hart—3.

Ald. Otis moved to strike out the 12th Ward.

Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Wickens, Weaver—7.

Nays—Ald. Tracy, Crouch, Chambers, Chace, Vay, Edelman, Knobles, Hart—8.

Ald. Warren moved that the whole matter be indefinitely postponed. Adopted.

Ald. Tracy moved that the vote taken in regard to the postponement of the question in relation to naphtha lamps be reconsidered. Adopted.

Ald. Tracy moved that the Mayor enter into contract for 400 lamps with the National Gas Company for one year from the first day of March next at \$17.85 per lamp per year to be lighted every night and all night. Adopted.

Ald. Vay moved that the Board adjourn to meet one week from to-night to take action on the revision of the charter and that business only. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Jan. 20, 1880.

ADJOURNED REGULAR MEETING.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent—Ald. Crouch.

Ald. Westbury from the Charter Amendment Committee reported the following:

PROPOSED REVISION OF THE CHARTER.

To the Common Council:

GENTLEMEN—Your committee on charter amendments herewith submit the proposed revised charter, besides numerous, but unimportant, changes of phraseology, and the correction and omissions made necessary by the amendments passed since 1874 (when the last edition of the charter was printed), the following amendments have been agreed upon by your committee, and embodied in the draft of the charter now submitted:

First—The term of office of Supervisors from the wards is to begin and end at the same time as the term of town Supervisors.

Second—The Police Commissioners are authorized, by a unanimous vote, to discharge any policeman at pleasure. [This may be the law now under the present charter.]

Third—The Common Council are authorized to order a reduction of the number of policemen at any time.

Fourth—The salary of Police Clerk is to be fixed by the Common Council.

Fifth—The amount of money to be raised for the Executive Board and the Water Works and Fire Board shall be determined by the Council, after receiving the statements of the said boards as to the amounts needed.

Sixth—Penal ordinances are to take effect ten days from their passage unless a different time is named.

Seventh—The Common Council is not required to select more than one newspaper for the publication of all proceedings, notices, &c.

Eighth—The city may settle, compromise, or abandon any suit, &c., without incurring any liability for costs to the city attorney.

Ninth—Special meetings of the Common Council may convene at the request of a majority of the aldermen.

Tenth—The approval of the mayor is not necessary in cases of appointments and removals, or to penal ordinances.

Eleventh—The city clerk must present transcript of the Common Council proceeding, to the mayor within four days after the session of the Council.

Twelfth—Vacancies in the office of judge of the municipal court (until filled by election of the people) to be supplied by the appointment of the Common Council, by a three-fourths vote.

Thirteenth—More than \$25,000 shall not be expended for additions and extension of water pipes without a vote of two-thirds of all the aldermen elected.

Fourteenth—The Water Works and Fire Board is authorized to employ a clerk.

Fifteenth—The City Clerk's salary, fixed by the Common Council, is to include his compensation as Clerk of the Board of Health.

Sixteenth—In the absence of the Police Justice, the Mayor, or one of the Police Commissioners by him designated, or a Judge of the Municipal Court, may perform the duties of Police Justice.

Seventeenth—The Common Council are authorized to borrow money, in case of a deficiency of funds, at any time, to be repaid out of the next general tax levy.

The following amendment is submitted for the consideration of the Board, without any expression of opinion on the part of your committee:

Every appointment to office, including President of this Board, by the Common Council under this charter, shall be made by the oral votes of the Aldermen, and the name of each Alderman, with his vote on each appointment, shall be entered in the minutes of the Common Council."

Ald. Fitz Simons moved that the amendments be voted upon seriatim. Adopted.

Section 1 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 2 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 3 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 4 was adopted by a like vote.

After an amendment offered by Ald. Otis, that the Police Clerk shall be appointed by the Common Council on the first Monday in April, annually, section 5 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 6 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 7 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Weaver, Knobles, Hart—14.

Section 8 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Section 9 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Section 10 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace,

Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Section 11 was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Ald. Otis moved that section 12 be adopted.

Ald. Hart moved as an Amendment that the appointment be made by a majority of the Board. Lost by the following vote:

Ayes—Ald. Tracy, Chambers, Chace, Mandeville, Weaver, Hart—6.

Nays—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Vay, Wickens, Edelman, Knobles—9.

Ald. Edelman moved that it be a two-thirds vote instead of a three-fourths vote. Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

The original amendment, as amended, was then adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Section 13 was read.

Ald. Weaver moved that a majority of all the Aldermen elect fix the sum to be raised. Adopted by the following vote:

Ayes—Ald. Westbury, Otis, Warren, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. Tracy, Fitz Simons, Hebing—3

Section 14 was adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Section 15 was adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Section 16 was adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Section 16 was adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

The suggestion of the committee in regard to the appointment of officers of the Council was then considered.

Ald. Westbury offered the following as a substitute:

Every appointment to office by the Common Council under this charter shall be made by the ballot of the Aldermen, voting only one ballot, and only one name upon said ballot, at each and every time of voting; and in all cases where more than one name appears upon one ballot the said ballot shall then be thrown out and the names not counted, except commissioners of deeds.

Lost by the following vote:

Ayes—Ald. Westbury, Chambers, Chace, Edelman, Knobles, Hart—6.

Nays—Ald. Fitz Simons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—8.

Ald. Mandeville moved that the suggestion of the charter amendment committee be adopted.

Ald. Westbury moved as an amendment that the motion be indefinitely postponed.

Lost by the following vote :

Ayes—Ald. Westbury, Chambers, Chace, Edelman, Knobles, Hart—6.

Nays—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—8.

The original amendment was then adopted by the following vote :

Ayes—Ald. Fitz Simons, Otis, Warren, Hebing, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—11.

Nays—Ald. Westbury, Chace, Hart—3.

By Ald. FitzSimons—Resolved. That the Charter Amendment Committee be directed to provide such amendments to the acts creating the Executive Board and Fire and Water Board, as they may deem sufficient to limit the powers of said Boards to executive action only, and to provide that all moneys passing through the hands of said Boards shall be paid, under the orders of the Common Council, by orders on the City Treasurer, drawn by the City Clerk, and that no salary of members or employees of said Boards shall hereafter exceed \$1,000 per annum.

Ald. Hart moved that the resolution be postponed until the next meeting.

By Ald. Hebing, as a substitute—Resolved, That the following proposed amendments be adopted: The Water Works and Fire Board to be consolidated into one Executive Board, to consist of three members (after the present members go out of office), to hold for three year, one to be elected by the people every year, salary to be fixed by the Common Council—not less than \$1,000 nor more than \$2,000 for each—and all lawful expenses, accounts and demands audited by such Board to be reported to and paid by the Common Council, in the same manner as accounts audited by the Common Council. The details to perfect the organization of the new Board to be arranged under the direction of the Committee on Amendments.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Ald. Otis moved that the Charter Amendment Committee prepare an amendment providing a section for the election of three supervisors at large. Adopted.

Ald. Westbury moved that the City Clerk certify the charter amendments to the member of Assembly from this district at once. Adopted.

By Ald. Hebing—Petition of Cook & Pond in regard to water rights. Referred to the Law Committee.

Ald. Mandeville moved that section 13 in regard to the expenditure for addition and extension of water pipe be reconsidered. Adopted.

Ald. Mandeville moved that it shall take a two-thirds vote to increase the amount beyond \$25,000.

Ald. FitzSimons moved that the section be stricken from the report. Lost by the following vote :

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Mandeville—6.

Nays—Ald. Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—8.

Ald. FitzSimons moved to adjourn. Lost by the following vote :

Ayes—Ald. FitzSimons, Warren—2.

Nays—Ald. Westbury, Otis, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Ald. Vay moved that it take a majority vote of the Aldermen elect to increase the amount over \$25,000 for additions and extensions of water pipe. Adopted by the following vote :

Ayes—Ald. Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

Nays—Ald. FitzSimons—1.

Ald. Vay moved to adjourn. Adopted.

EDWARD ANGEVINE, City Clerk.

In Common Council, Jan. 27th, 1880.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

Ald. Hart moved that Peter Sheridan act as City Clerk *pro tem*. Adopted.

The minutes of the last meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, ETC.

By Ald. Tracy—Bills of

C. A. Jeffords, carting old lamps.....	\$ 2 50
Citizens' Gas Co., resetting posts, &c.....	10 65
Rochester Gas Co., care of lamps for January	1736 16
J. Kavanagh, hack hire.....	4 00
National Gas Co., care of lamps for January.	566 67
R. R. Gay, care of kerosene lamps for January.....	851 18
Citizens' Gas Co., care of lamps for January.	2287 20
Citizens' Gas Co., resetting posts, &c.....	146 45

Referred to the Lamp Committee.

By Ald. FitzSimons—Petition of Charles Rowell & Son in regard to assessments. Referred to Assessment Committee.

By Ald Westbury—

To the Common Council

GENTLEMEN: Whereas, The records of the Monroe County Clerk's office shows a collector's bond made by Emmett H. Hollister to the city of Rochester for \$2,000, filed Dec. 17, 1868.

The terms for which it was given have been fulfilled but never discharged of record. The undersigned therefore petitions your honorable board to authorize the same to be discharged of record.

Respectfully,

GRANGER A. HOLLISTER.

Ald. Westbury moved that his Honor, the Mayor, be authorized to discharge the bond. Adopted.

By Ald. Otis—Bills of

John O'Rourke, board of horse for November and December.....	\$36 00
--------------------------------------------------------------	---------

Referred to the Health Committee.

By Ald. Hebing—Petition of Joseph Stephany for remission of taxes. Referred to Assessment Committee.

By Ald. Hebing—Bills of

J. B. Perkins, expenditures.....	\$23 50
----------------------------------	---------

Referred to the Law Committee.

By Ald. Crouch—Petition of Mary E. Hutchin-son for remission of taxes. Referred to the Assessment Committee.

By Ald. Crouch—Bills of

Reinhardt & Kohler, meat	\$ 50 00
Erhardt & Co, meat	50 00
E D Webster, shoes	13 00
John H Frick, burials	6 50
H Brewster & Co, groceries	161 39
Wm Punch, burials	13 50
Zagwitz & Fisher, meat	10 00
J E Butt-rfield, transportation	19 60

Referred to the Poor Committee.

By Ald. Chambers—Bills of

Wm H Niven, flower pots	\$ 0 56
Peter Sheridan, expenditures	85
O H Peacock, expenditures	35 12
Union and advertiser, printing	10 00
John C Moore, blank books	193 14
J B Perkins, services	258 50
S H Oviatt, board and expenses	7 05

Referred to the Contingent Expense Committee.

By Ald. Chambers—Petition of W. M. Webb for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Chambers—Petition for a sewer in the bed of the Genesee Valley Canal. Referred to the Sewer Committee.

By Ald. Mandeville—Bills of

Hamilton & Mathews, drop letter plate	\$ 0 85
Rochester Gas Co, gas Ci y Hall for Jan	122 76
F P Crouch, load of wood	3 00
John Snow, letter box	1 00

Referred to City Property Committee.

By Ald Vay—Petitions of teamsters asking the Common Council to impose a license for teaming in the city.

Ald. Vay moved that residents of the city pay a license of \$10 and non residents \$20.

Ald. Edleman moved that residents of the city pay \$2 and non residents \$20.

Ald. Otis moved to refer the matter to the Law Committee.

Lost by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch—7.

Nays—Ald. Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—8.

Ald. Hebing moved as an amendment to refer the matter to the Committee on Ordinances and Rules to report at the next regular meeting. Adopted.

By Ald. Wickens—Petitions of Peter Carle and Bernard Dunn for permission to erect wood buildings, and moved that the prayer of petitioners be granted. Adopted.

By Ald. Edleman—Petition of L. Schiff for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal with power to act.

By Ald. Weaver—Bill of

Citizens' Gas Co., re-arranging lamps	\$ 166 33
---------------------------------------------	-----------

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Otis, from the Health Committee; Ald. Hebing, from the Law Committee; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Weaver, from the Special Committee on Re-arranging Lamps; reported in favor of the various bills referred to their respective Committees, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., Jan. 27, 1880.
By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Williamson & Higbie, stationery, &c	\$40 81
A. K. Tower & Co., stationery	1 20
And charge that fund.	

POOR DEPARTMENT FUND.

City Hospital, board of inmates	\$942 04
Home of Industry, board of inmates	149 82
St. Mary's Hospital, board of inmates	3,099 32
St. Patrick's Orphan Asylum board of inmates	737 88
St. Mary's Orphan Asylum, board of inmates	951 31
Rochester Orphan Asylum, board of inmates	856 35
St. Joseph's Orphan Asylum, board of inmates	834 51
James W. Breaky, wood	40 25
George Empert & Co., coal	2 35
Spencer & Stalker, stove	8 59
Burke, FitzSimons, Hone & Co., dry goods	33 00
J. Schutte, transportation	76 84
Home of Friendless, board of inmates	89 00
Louis Boss, bread and crackers	272 26
C. E. Woodward, agent, groceries	10 00
W. M. Moran, sundries	4 65
Buckley & Co., groceries	14 25
A. H. Cork, groceries	18 75
George Schofield, transportation	27 02
George F. Murz, meal	12 50
L. Boss, bread and crackers	104 45
Curran & Goler, medicine	10 85
W. J. M. Aikenhead, candles	24 78
J. A. Otto, groceries	22 50
John Fisher, meat	100 00
H. Langknecht, meat	100 00
Frank Reiss, meat	1 05
F. H. Curran, meat	150 00
S. B. Roby, rent of coal yard	87 50
S. Wheeler, rent	8 00
And charge that fund.	

CITY PROPERTY FUND.

Sherlock & Sloan, labor and material	\$23 44
John C. King, repairing chair	1 25
A. H. Cork, brooms and mops	2 28
John B. Snyder, stove &c	26 65
M. Huntington, glass, oil, &c	15 01
George W. Connolly, gas fixtures	15 34
James R. Chamberlain, packing	3 57
Wray & Elwood, repairing locks	3 40
Wm. Waldert, hardware	6 60
Wm. Connors, hardware	5 08
E. Emerich, care clocks from Nov. 1, to Feb. 1	62 50
F. J. Irwin, monthly cleaning	86 45
And charge that fund.	

LAMP DEPARTMENT FUND.

Sherlock & Sloan, gas fixtures	\$659 33
B. F. Thomas, Lamp Pots	34 00
M. Huntington, Glass	3 00
Goode & St. Louis, Lamp-tips	36 00
And charge that fund.	

OFFICE DEPARTMENT FUND.

Alex. McLean, expenses for December	\$57 43
And charge that fund.	

Ald. Hart moved that the bill of B. Frank Enos be added to the budget.

Ald. FitzSimons moved as an amendment that the bill be referred to the Chief of Police and by him reported to the Finance Committee.

Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

The Finance Budget was then adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

By Ald. Hebing—

To the Honorable Common Council of the City of Rochester :

Your Law Committee, to whom was referred the claims of Ferry Bower and Edward Dunn for services rendered the city, would report, That Chapter 365, of the laws of 1877, relating to a lift bridge over the Erie Canal at Allen street in this city, among other things provides that so long as said Canal shall remain the property of the State, said bridge shall be under the general control and management of the Canal Commissioner or other officer for the time being in charge, who shall appoint a per-

son or persons necessary to lift or manage said bridge during the season of navigation, whose compensation shall be paid by the city. In pursuance of the act aforesaid, and on the request of the members of the Executive Board of this city, Hon. Henry L. Fish, who was then Assistant Superintendent of the Western Division of said Canal on which said bridge was to be constructed, on the 8th day of May, 1879, the day designated for the opening of the Canal for navigation, appointed, in writing, Ferry Bower as one of said bridge tenders, and on the following day appointed Edward Dunn to the same position. The structure at that time had not been placed over the Canal, but persons were engaged in erecting it and it was finally completed and accepted by the city on the 20th day of June, 1879. The claimants attended every day from their appointment to the time when the bridge was accepted and assisted in erecting proper guards to prevent accidents, and to notify persons traveling on that street of danger in attempting to cross the Canal at that place. Their salary was fixed at \$40.00 per month. They have been paid in full for all the services they have rendered since the 20th day of June aforesaid, when the said bridge was accepted and ready for use, but nothing for their services prior thereto which in the case of Mr. Bower was 44 days, and that of Mr. Dunn 43 days, and, at the rate of \$40.00 per month, amounts to \$58.66 due and owing Mr. Bower, and \$57.33 due and owing Mr. Dunn.

From the foregoing facts your Committee are of the opinion that there is justly due the said Bower and Dunn the several amounts aforesaid from the city of Rochester, and we therefore recommend the adoption of the following resolution.

Resolved, That the Executive Board be and they hereby are requested and directed to pay Ferry Bower \$58.66, and Edward Dunn \$57.33, balance due them for services rendered the city and take the proper receipt therefor.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Law Committee.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

By Ald. Hebing—
ROCHESTER, N. Y., Jan. 21, 1880.
Common Council of the City of Rochester:

GENTLEMEN—In the case of Thomas Raines v. City the jury, after being out all night, agreed on a verdict for the plaintiff of one thousand dollars on his claim for ten thousand. I think it quite probable the city could get a new trial on the ground of the improper admission of evidence. The expense of an appeal and of a new trial, if obtained, considering the large number of witnesses, would, however, be quite considerable, and in view of this it is a question whether, as a matter of dollars and cents, it would not be as well to pay the amount of this verdict. Please give some definite instruction.

Yours resp'y,
J. B. PERKINS.

Referred to the Law Committee.

Ald. Westbury in the chair.
By the Clerk—

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 19, 1880. }

To the Honorable the Common Council :

GENTLEMEN—I enclose you herewith a communication received some days since in regard to Oak street impavement. This assessment roll, as you doubtless know, has been set aside by the courts, but as I am informed by Mr. Perkins, the late City Attorney, that decision did not invalidate the ordinance. There is a debt balance upon my books against this account of \$10,902.64, which sooner or later must be provided for either by cancellation or re-assessment. Under advice of A. G. Wheeler, City Attorney, I have addressed you upon this subject that you may take such action as you deem proper.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

CONTINENTAL NATIONAL BANK,
NEW YORK, Jan. 14, 1880. }

[Hassan et al agt. City of Rochester.]

To the City Treasurer, Rochester, N. Y. :

DEAR SIR—I am informed the above suit was decided in Commission of Appeals in favor of the property owners, and those who paid the tax under protest (for Oak street improvement) are entitled to receive back the amount paid.

If I remember correctly, the suit was argued by Geo. F. Danforth, Esq. Should be pleased to hear from you at your earliest convenience, and oblige,
Very truly yours,

A. D. SKYMOND,

Continental National Bank, N. Y.

Ald. Fitz Simons moved to refer the communication to the Law Committee, to report at the next regular meeting. Adopted.

By the Clerk—

CITY CLERK'S OFFICE,
ROCHESTER, N. Y., Jan. 27, 1880. }

To the Hon. Common Council :

In accordance with section 20, Revised City Charter, I report the following as having qualified and taken the oath of office :

COMMISSIONERS OF DEEDS.

Chas. F. Wolters.
Peter A. Costich.
Arthur McD nald.

EDWARD ANGEVINE, City Clerk.

Ordered filed and published.

By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF DECEMBER, 1879.

To the Honorable the Common Council of the City of Rochester.

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing January 5th, to and including January 26th, 1880, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

McKeeney, George, 298 Plymouth avenue.....	\$40 00
Gores, Joseph, 241 North Clinton street.....	26 50
Schwikert Frank, 17 South St. Paul street.....	22 50
Flick, George, 24 Center street.....	20 00
Brade, Elizabeth, 27 Orange street.....	25 50
Sirobler, Michael, 133 Lake avenue.....	50 00
Maner, Mrs. John, 45 Clark street.....	30 00
Love, Edward H. 11 West avenue.....	20 00
Long, Maxx, 22 Scio street.....	20 00
Marrinan, Michael, 204 North street.....	30 00
Heintz, Geo. W., cor. Romeyn and Magna sts.....	20 00
Engelhart, Paul, 61 Atwater street.....	20 00

Bergman, Philip, 136 W. Main street.....	40 00
Hawes, Francis J., 72 Front street.....	40 00
Merlan, Mrs. S., 68 South avenue.....	23 00
Burke, James E., 7 Monroe avenue.....	30 00
Stahl, Martin H., 143 South avenue.....	30 00
Washington, Patrick, Plymouth av. & Bartlett.....	20 00
Spengler, John, Campbell and Childs.....	20 00
Maurer, Wm. R., 107 N. Clinton street.....	21 00
Musch, John, 30 Winford street.....	40 00
Donovan Daniel, 21 South St. Paul street.....	20 00
Schilds, Jacob, 65 North avenue.....	20 00
O'Laughlin, John, cor. Smith and Saxton sts.....	20 00
Zarde, Frank, 102 North avenue.....	20 00
Cassidy, James, 10 Front street.....	20 00
Lee, John, 176 Exchange street.....	20 00
Konway, Michael, 69 Front street.....	20 00
Kolb, Geo. M., 51 and 53 North avenue.....	20 00

Total amount received and deposited with City Treasurer..... \$768 50
 Dated Rochester, N. Y., January, 26, 1880.

STATE OF NEW YORK,
 County of Monroe,
 City of Rochester, ss.
 Vincent M. Smith, Porter W. Taylor and Charles F. Wolters, of said city, county, and State, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the moneys received from January 5th, to January 26th, 1880, inclusive.

VINCENT M. SMITH,
 PORTER W. TAYLOR,
 CHARLES F. WOLTERS,
 Excise Com'rs.

Sworn to before me this 26th day of January, 1880.
 PARIS G. CLARK,
 Commissioner of Deeds in and for the city of Rochester, N. Y.

Ordered received, filed and published
 The City Attorney called attention to the fact that persons claimed to be damaged by the erection of the bridge over the N. Y. C. & H. R. R. tracks desired him to assess the amount of damages, and did not wish to proceed further until he had some instructions from the Common Council.

Ald. Hart moved to refer the matter to the Law Committee. Adopted.

**ACTION ON ORDINANCES.
 FIRST ORDINANCES.**

PLANK WALK ON HOELFER STREET.
 By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council, the expense of constructing a plank walk four feet wide, on the north side of Hoelfer street, between Clinton and St. Joseph streets, in front of all the lots where good four feet plank walks do not already exist, and all existing walks shall be relaid to the proper grade, if necessary.
 Adopted.

The Surveyor submitted as such estimate \$225.
 By Aid. Wickens—Resolved, That the following improvement is expedient, viz:
 The construction of a plank walk four feet wide, on the north side of Hoelfer street, between Clinton and St. Joseph street, in front of all lots where good four feet walks do not already exist, and all existing walks shall be relaid to the proper grade necessary.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$225, which estimate is hereby approved.

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

One tier of lots on the north side of Hoelfer street, in front of which the proposed walk may be constructed or relaid.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., of section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend at the Common Council, on Tuesday evening, February 10th, 1880, at 7 1/2 o'clock, at the Common Council Chamber, when allegations will be heard.
 Adopted.

PLANK WALK ON WAREHOUSE STREET.
 By Aid. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a plank walk four feet eight inches wide on the west side of Warehouse street, from Allen street to Platt street.
 Adopted.

The Surveyor submitted as such estimate \$70.
 By Aid. Wickens—Resolved, That the following improvement is expedient, viz:
 The construction of a plank walk four feet and eight inches wide on the west side of Warehouse street, from Allen street to Platt street.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$70, which estimate is hereby approved.

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

One tier of lots on the west side of Warehouse street from Allen street to Platt street.

And the Clerk is hereby directed to publish notice in pursuance of title vii, section 165 of the revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, Feb. the 10th, 1880, half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.
 Adopted.

The final ordinance for a stone sewer in the Genesee Valley Canal came up.

Ald. Chambers moved that the ordinance lie on the table until the next regular meeting and that the City Surveyor be instructed to amend the ordinance so that it shall not extend further south than Plymouth avenue bridge.

Ald. Chace presented a remonstrance.
 Ald. Westbury presented a remonstrance.
 Ald. FitzSimons presented a remonstrance.

The final ordinance for a sewer in Exchange street came up.

Ald. Westbury presented the following:
 Resolved, That the ordinance for the construction of a circular brick sewer in Exchange street be so amended as to call for the construction of a sewer with stone bench walls and stone arch, and with a curved brick invert instead of a circular brick sewer. Adopted.

CITY TREASURER'S OFFICE,
 ROCHESTER, N. Y., Jan. 26, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2,073, for sprinkling North avenue has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur or is entitled to, for the use of its funds, is \$123.39.

Yours respectfully,
 GEO. D. WILLIAMS, Treasurer.

**LOCAL IMPROVEMENT ASSESSMENT NO. 2,072.
 SPRINKLING NORTH AVENUE.**

Whereas, The Common Council did upon the 3d day of June, 1879, enact an ordinance for sprinkling North avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$123.39, including such interest as the city has become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of North avenue from East Main street to University avenue.

Therefore, Resolved—That the sum of 123.39, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
 Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Keeling, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
 ROCHESTER, N. Y., Jan. 26th, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,068, for sprinkling Plymouth avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$149.46.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,063.

SPRINKLING PLYMOUTH AVENUE.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for sprinkling Plymouth avenue.

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$149.46, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Plymouth avenue, from the Erie canal bridge to Troup street.

Therefore, resolved, That the sum of \$149.46, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, or the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Jan. 26th, 1880.

To the Honorable the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2064 for sprinkling Spring street has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$224.96.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2064.

SPRING ST. SPRINKLING.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for sprinkling Spring street.

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$224.96 including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Spring st., from Exchange st. to Caledonia avenue.

Therefore, resolved, That the sum of \$224.96 being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, or the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Jan. 26th, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,065, for sprinkling of Monroe ave. has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$200.00.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,065.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for sprinkling Monroe ave.

And, whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$200.00, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of lands, on each side of Monroe ave., from Clinton st. to Union at

Therefore, Resolved, That the sum of \$200.00, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,

ROCHESTER, N. Y., Jan. 26, 1880.

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,062, for Phelps avenue sprinkling, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to for the use of its funds, is \$54.43.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2069.

Whereas, The Common Council did, upon the 3d day of June, 1879, enact an ordinance for sprinkling Phelps avenue.

And, whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$54.43, including such interest as the city has paid or become liable for.

And the part of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Phelps avenue, from a point 100 feet west of Lake avenue to the west line of Backus avenue.

Therefore, Resolved, That the sum of \$54.43, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of lands and houses within the portion or part of said city so designated, or the said amount of expense in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,

ROCHESTER, Jan. 26, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,066, for sprinkling Park avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$175.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,066.

SPRINKLING PARK AVENUE.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for sprinkling Park avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$175, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Park avenue from Alexander street to Goodman street.

Therefore, Resolved, That the sum of \$175, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of Jan., 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman Weaver, Hart—15

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan 26, 1880. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,049, for Sprinkling Lake avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to for the use of its funds, is \$564.25.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer

LOCAL IMPROVEMENT ASSESSMENT No. 2,049.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling Lake avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$564.25, including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Lake avenue, from Jones avenue to Sweeting's north line.

Therefore, Resolved, That the sum of \$564.25, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26, 1880. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2041, for sprinkling State street and Lake avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to for the use of its funds, is \$386.40.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2041.

SPRINKLING STATE STREET AND LAKE AVENUE.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling Lake avenue and State street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$386.40, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Lake avenue and State street, from Jones avenue to the N. Y. C. & B. R.

Therefore, Resolved, That the sum of \$386.40, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26, 1880. }

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2042, for sprinkling East avenue has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur or is entitled to, for the use of its funds, is \$421.25.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2042.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling East avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$421.25, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of East avenue, from East Main street to Alexander street.

Therefore, Resolved, That the sum of four hundred and twenty-one 25-100 dollars, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated, and the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, Jan. 26th, 1880. }

To the Hon. the Common Council:

GENTLEMEN:—I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2061, for sprinkling West avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to for the use of its funds, is \$573.77.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,061.

SPRINKLING WEST AVENUE.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for sprinkling West avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$573.77 including such interest as the City has paid or become liable for.

And the portion of said City which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of West avenue, from the Erie Canal to York street.

Therefore, Resolved, That the sum of \$373.77, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher, and Aug. M. Koeth, 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 lots and parcels of lands and houses within the portion or part of said City so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimmons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, Jan. 26, 1880.

To the Honorable the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,070, for sprinkling Union street has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur or is entitled to for the use of its funds is \$147.40.

Yours respectfully,
GEORGE D. WILLIAMS,
Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2070

Whereas, The Common Council did upon the 3d day of June, 1879, enact an ordinance for sprinkling Union street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$147.40, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Union street, from East avenue to Monroe avenue.

Therefore, Resolved, That the sum of \$147.40, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher, Aug. M. Koeth and 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 lots and parcels of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimmons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., July 26, 1880.

To the Honorable the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under ordinance No. 2,053 for sprinkling Meigs street has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$20.00.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,053.

Whereas, The Common Council did upon the 18th day of March, 1879, enact an ordinance for sprinkling Meigs street.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$20.00, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

One tier of lots on each side of Meigs street, from East avenue to Monroe avenue.

Therefore, Resolved, That the sum of \$20.00, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, Jan. 31st, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimmons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26th, 1879.

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

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2043, for sprinkling East avenue beer completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$645.32.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT, ASSESSMENT NO. 2,043.

SPRINKLING EAST AVENUE.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling East avenue.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$645.32, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of East avenue from Goodman street to the city line.

Therefore, Resolved, That the sum of \$645.32, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimmons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26, 1879.

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2045, for the sprinkling of State and Exchange streets has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$378.11.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,045.

STATE AND EXCHANGE STREET SPRINKLING.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling State and Exchange street.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$378.11, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of State and Exchange street from the N. Y. C. & H. R. R. to Spring street.

Therefore, Resolved—That the sum of \$378.11, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be to the advantage

which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26th, 1880.

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,046, for sprinkling East avenue, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur or is entitled to, for the use of its funds, is \$230.03.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2046.

SPRINKLING EAST AVENUE.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling East avenue.

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$280.03, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of East avenue from Alexander street to Goodman street.

Therefore, resolved, That the sum of \$280.03, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26th, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance 2047 for sprinkling Clinton st., has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur or is entitled to, for the use of its funds, is \$423.22.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2047.

CLINTON ST. SPRINKLING IMPROVEMENT.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling Clinton st.

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$423.22, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Clinton st., from Monroe ave. to Andrews st.

Therefore, resolved, That the sum of \$423.22 being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26, 1880.

To the Hon. the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,044, for sprinkling East and West Main street has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$781.96.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2044.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling East and West Main st.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$781.96, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

One tier of lots on each side of East and West Main st., from East ave. to the Erie canal.

Therefore, Resolved, That the sum of \$781.96, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Wm. Maher and Aug. M. Koeth, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, Jan. 31st, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26th, 1880.

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,043, for sprinkling Front street, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$188.83.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,045.

Whereas, The Common Council did upon the 18th day of February, 1879, enact an ordinance for sprinkling Front street;

And whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$188.83, including such interest as the city has paid or become liable for;

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Front street, from West Main street to the N. Y. C. & H. R. RR. depot;

Therefore, Resolved, That the sum of \$188.83, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, the Assessors of said city, not interested in any of the property so benefited, and not of kin to and person so interested, are hereby designated and directed to make an assessment upon all the lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for the purpose, on Saturday, the 31st day of January, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

CITY TREASURER'S OFFICE,
ROCHESTER, Jan. 28, 1880.

To the Honorable the Common Council:

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,071, for sprinkling Andrews street, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$147.40.

Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT NO. 2,071.

SPRINKLING ANDREWS STREET.

Whereas, The Common Council did, upon the 3d day of June, 1879, enact an ordinance for sprinkling Andrews street.

And Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$147.40, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Andrews street, from the river bridge to North ave.

Therefore, Resolved, That the sum of \$147.40, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated. of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose on Saturday, the 31st day of Jan., 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

Ald FitzSimons moved that the local improvement assessment for the improvement of Hudson street, and East Main street improvement, be postponed until the next regular meeting. Adopted.

UNFINISHED BUSINESS OF PREVIOUS MEETING.

Ald. Otis called from the table the petition for gas mains in North St. Paul street.

Ald Warren moved that the matter be postponed until an ordinance is passed for the improvement of the street. Adopted.

EXECUTIVE BUSINESS.

Ald. Wickens moved that the Board proceed to ballot for Commissioners of Deeds, and that the Clerk cast the ballot. Adopted. Frank C. Steele, Wm. B. Lee, Stanley E. Sheffer, Andrew Carle, W. Frank Chandler and Burrit McGarrey having received the requisite number of votes, were declared duly elected.

Ald. Weaver presented various petitions for changing naphtha lamps to kerosene lamps. Ordered received and filed.

Ald. Weaver moved that that resolution authorizing the Mayor to enter into contract with the National Gas Co. be reconsidered.

Ald. Mandeville moved that the motion of Ald. Weaver be indefinitely postponed. Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Hart—14.

Mays—Ald. Weaver—1

By Ald. Edelman—Resolved, That the Executive Board be authorized to change the name of North street from Main street to Clifford street to North avenue, and North avenue from the N. Y. C. & H. R. R. tracks to its terminus, to Bay avenue.

Ald. Warren moved that the resolution lie on the table until the next meeting.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Mandeville, Wickens, Weaver Hart—10.

Nays—Ald. Crouch, Chambers, Chace, Vay, Edelman—5.

By Ald. Vay—Resolved, That the ordinance for the construction of a wrought iron lift bridge over the Erie canal at Brown st. be reconsidered. Adopted.

By Ald. Vay—Resolved, That the ordinance be amended by increasing the estimate for said bridge from \$6,400 to \$8,500. Adopted.

By Ald. Chace—Resolved, That the Lamp Committee place a public lamp at the corner of Phelps and Lake avenues; also one at the corner of I orimer street and Lake avenue.

Ald. FitzSimons moved that the resolution be referred to the Committee on Rearranging Lamps.

Ald. Hart moved the previous question.

The motion to put the previous question was adopted.

The motion of Ald. FitzSimons was lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Mandeville, Wickens—5.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Edelman, Weaver, Hart—10.

The resolution of Ald. Chace was then adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Vay, Wickens, Edelman, Weaver—10.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Hart—5.

Ald. Chace presented the following proposed amendment to the city charter:

AN ACT to further amend subdivision six of section 140 of chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester.

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

SECTION 1. Subdivision 6 of section 140 of chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," as amended by section 7, chapter 267, of the Laws of 1869, and by section 1 of chapter 283 of the Laws of 1879, is hereby further amended so as to read as follows:

"6. The amount to be raised for teachers' wages and contingent expenses in any one year shall not be less than 6 nor more than \$13 per capita, based on the average daily attendance of resident pupils in the several public schools of said city, for the school year ending on the first day of May next preceding the levying of the general city taxes in each and every year. A sworn statement of such average daily attendance shall be made by the Superintendent of Schools, according to the verified monthly reports of the principals of said schools.

Nor shall the amount to be raised in any one year to lease, alter, improve and repair school-houses and their out-houses and appurtenances exceed ten thousand dollars. Nor shall the amount raised in any one year to purchase and improve sites and build or enlarge school houses exceed twenty thousand dollars. And the Common Council of said city are authorized and directed, when necessary, to raise by loan in anticipation of the taxes, the money to be raised, collected and levied as aforesaid.

Ald. Chace moved that the matter be referred to the Charter Amendment Committee, and that the Clerk prepare a copy and send it immediately to the Member of Assembly from this district.

Ald. Hart moved, as an amendment, that the matter be referred to the School Board.

Ald. Mandeville moved as an amendment to the amendment that the subject be referred to the Charter Amendment Committee to report to this Board at the next regular meeting.

Ald. Warren moved that the rule to adjourn at eleven o'clock be suspended. Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Hart—12.

Nays—Ald. Westbury, Edelman, Weaver—8.

Ald. Edelman moved that the whole matter be indefinitely postponed. Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Vay, Wickens, Edelman—6.

Nays—Ald. Westbury, Hebing, Crouch, Chambers, Chace, Mandeville, Weaver, Hart—8.

The motion of Ald. Mandeville was then adopted.

By Ald. Hebing.—Resolved, That the Lamp Committee locate on Vincent Place Bridge four or more public lamps if, in their judgment they deem it necessary for the public benefit.

Ald. Hart moved that the resolution be referred to the special committee on rearranging lamps. Lost by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens—6.

Nays—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Weaver, Hart—9.

The resolution of Ald. Hebing was then adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Hebing, Crouch, Chambers, Chace, Edelman, Hart—8.

Nays—Ald. FitzSimons, Otis, Warren, Mandeville, Vay, Wickens, Weaver—7.

By A. D. Warren—On reading and filing the petition of J. A. Eastman, heretofore presented to this Board, whereby it appears that taxes on lots Nos. 13 and 14, Gorham track, situated on the west side of North St. Paul street, were erroneously assessed to a person not owning said lots, and that by reason thereof the said lots were sold for taxes without the knowledge of said Eastman, the owner thereof;

Resolved, That said Eastman be allowed to pay to the City Treasurer the amount for which said lots were sold to said city and redeem the same by the payment thereof, with seven per cent. interest on the amount of said respective taxes, with the expenses of such sale from the time of said sale. Adopted.

By Ald. Warren—Resolved, That the City Treasurer be, and he is hereby directed, to cancel the personal tax on one thousand dollars, assessed to C. A. Deavenport, No. 36 Front street, in the First Ward, and charge the same to erroneous assessments.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—15.

By Ald. Warren—Resolved, That the Treasurer be authorized to receive from the Home of Industry the sum of \$460.79, for South St. Paul street improvement, in full; also, for South St. Paul street sewer, the sum of \$154.65, in full, that amount being sufficient to reimburse the city for the cost of the work, without additions of interest or penalties. Adopted.

By Ald. Warren—Whereas, Lots Nos. 120, 121 of the Wadsworth Tract, Union street, Seventh Ward, were assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Jan. 27th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$38.14 with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Jan. 27th, 1880. }

Geo. D. Williams, City Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Monroe County Savings Bank, viz.: Lot Nos 120 Wadsworth Tract, west side of Union street, Seventh Ward, 50 feet front, 50 feet rear, and 168 feet deep, and that the owners of said property should pay as their portion of General City Tax, 1879, the sum of \$38.14, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Jan. 27th, 1880. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos. 120, 121, of the Wadsworth Tract, Union Union street, Seventh ward, were assessed for General City Tax for 1878 under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated January 27th 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$42.37 with expenses and interest, in pursuance of said certificate.

Adopted,

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., Jan. 27, 1880. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Monroe County Savings Bank, viz.: Lot No. 121, Wadsworth Tract, west side of Union street, Seventh ward, 50 feet front, 50 feet rear and 168 feet deep, and that the owners of said property should pay as their portion of General City Tax, 1878, the sum of \$42.37, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 27th 1880. }

(A true copy.) GEO. D. WILLIAMS, Treasurer

By Alderman Warren—Whereas, Lots Nos. part 9 and 10 of the Jones tract, Sherman street, Eleventh ward, were assessed for the General City Tax of 1877, under one valuation and in one amount, and are now owned by two or more persons, therefore

Resolved, That the property described in a certificate from the Assessors dated January 27, 1880, and on file in the Treasurer's office, a copy of which is attached here, be released from the lien of such tax upon the payment of \$28.95, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Jan. 27, 1880. }

Geo. D. Williams, Treasurer:

SIR—We, the assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880, to Chas. C. Galusha, viz:

Lot No. part 9 of Jones tract, east side of Sherman street, Eleventh ward, 50 feet front, 50 feet rear, and 100 feet deep.

And that the owner of said property should pay as his portion of General City Tax of 1877, the sum of \$28.95, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 27, 1880. }
(A true copy.)

GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos 9 and 10 of the Jones Tract, Sherman street, Eleventh Ward, were assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Jan. 27th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$32.28 with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Dec. 27th, 1880. }

Geo. D. Williams, Treasurer.

SIR:—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the general city tax for the year 1880, to Chas. C. Galusha, viz:

Lots No. pt. 9 Jones Tract, east side of Sherman street, Eleventh Ward, 50 feet front, 50 feet rear, and 100 feet deep, and that the owner of said property should pay as his portion of General City Tax, 1879, the sum of \$32.28, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER, ASSESSORS.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Jan. 27th, 1880. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lots Nos. pt 9 and 10 of the Jones Tract, Sherman street, Eleventh Ward, were assessed for General City Tax, 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Jan. 27th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax, upon the payment of \$27.24, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., January 27th, 1880. }

Geo. D. Williams, Treasurer.

SIR:—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to Chas. Galusha, viz:

Lot No. 9, pt Jones Tract, (east side of Sherman st., Eleventh Ward, 50 feet front, 50 feet rear, and 100 feet deep, and that the owner of said property should pay as his portion of General City Tax, 1879, the sum of \$27.24, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUG. M. KOETH,
WM. MAHER, ASSESSORS.

CITY TREASURER'S OFFICE,

Rochester, N. Y., Jan. 27th, 1880. }
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Warren—Whereas, Lot 52 Greig tract, Champlain street, Eighth Ward, was sold for the general city tax for 1870 and has since changed hands.

Resolved, That the owner thereof be granted the privilege of paying the same with seven per cent. interest from date of sale, the amount of said sale being \$6.15. Adopted.

Ald. Otis called from the table and moved a reconsideration of the following resolution:

By Ald. Otis—

Whereas, The negotiations with the New York Central & Hudson Railroad Company have come to an end by reason of the rejection by said railroad company of the plans proposed by this Council for elevated tracks; and,

Whereas, We still recognize the necessity of the adoption of some plan of relief to the city of Rochester, as well as to said railroad company; therefore,

Resolved, That Messrs. Buell, Barry and Booth, of the Citizens' Committee, and Ald. Chace, Weaver and Mandeville, of this Board, be a committee to continue such further negotiations with the New York Central & Hudson River Railroad Company as in their judgment shall be for the best interest of this city.

Ald. Hart objected. The motion to reconsider was adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver—10.

Nays—Ald. Warren, Hebing, Vay, Edelman, Hart—5.

Ald. Otis moved that the resolution be adopted.

Ald. Hebing moved as an amendment that the matter lie on the table until the next meeting.

Ald. Edelman moved that the resolution be indefinitely postponed.

Ayes—Ald. Fitz Simons, Warren, Hebing, Vay, Edelman, Hart—6.

Nays—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver—9.

The motion to lie on the table was lost by the following vote:

Ayes—Ald. Fitz Simons, Warren, Hebing, Vay, Edelman, Hart—6.

Nays—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver—9.

Ald. Weaver moved that Ald. Otis be substituted in his place on the Committee. Ald. Otis declined to serve.

The motion was lost by the following vote:

Ayes—Ald. Warren, Weaver—2.

Nays—Ald. Tracy, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Hart—12.

The resolution of Ald. Otis was then adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver—9.

Nays—Ald. Fitz Simons, Warren, Hebing, Vay, Edelman, Hart—6.

By Ald. Fitz Simons—Resolved, That the Treasurer be and he is hereby authorized to draw the city's note or notes for the sum of seventeen thousand one hundred dollars and get the same discounted, and charge the discount to Contingent Fund and credit the proceeds as follows, being deficiencies in the following funds:

Poor Fund.....	\$12,000
Lamp Fund.....	5,000
Park Fund.....	100
Total.....	\$17,100

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Hart—14.

Nays—Ald. Vay—1.

Ald. Tracy presented majority petitions for naphtha lamps on Almeroth street and Henrietta avenue, and moved that the Lamp Committee be authorized to place naphtha lamps in each of those streets. Adopted.

Ald. Otis moved that Mr. Hayward have permission to use two lamps on his premises.

Ald. Hart moved that the motion lie on the table. Adopted.

Ald. Chace presented the following communication from Oliver Allen:

OFFICE OF THE
ROCHESTER & STATE LINE RAILWAY CO.,
January 27, 1880.

To the Honorable Common Council of the City of Rochester:

GENTLEMEN—Some time ago an application was made to your honorable body, asking for the adoption of measures to improve the condition of Maple street, and one street connecting therewith, leading to an already improved street, north or south therefrom and parallel with Maple street.

No action was taken in this matter, as within a brief time thereafter assurances were given that the New York Central & Hudson River Railway Company would afford this company proper and necessary facilities for its freight and passenger business. As it is not probable, in the present condition of affairs, that this company will at present be granted the facilities referred to, in behalf of the Rochester & State Line Railway Company, and especially in the interest of its patrons, I respectfully ask that your honorable body direct the City Surveyor to prepare an ordinance for the proper improvement of the streets referred to, and that they be improved at the earliest day practicable.

During and since November last North Francis street and streets parallel with it and eastwardly of it to the canal, Brown street from Maple to Allen streets, and Maple street from Brown street to the depot of this Company, has been almost impassable for vehicles, and at times dangerous for loaded wagons.

By reason of the condition of those streets this Company has lost a large quantity of freight and passenger business.

In this connection permit me, respectfully, to call your attention to the communication presented to your honorable body October 17, 1876, in regard to an extension of this railroad to the junction of West Main and Ford streets, as therein proposed, and ask that a report thereon be submitted.

Respectfully, OLIVER ALLEN, President.

Ald. Chace moved that the communication be received, filed and published.

Ald. Vay objected.

The motion was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Weaver, Hart—12.

Nays—Ald. Chambers, Vay, Edelman—3.

The Board then adjourned.

PETER SHERIDAN,
City Clerk, *pro tem.*

In Common Council, Feb. 4, 1880.

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Absent—Ald. Warren.

By the Clerk—

CITY CLERK'S OFFICE,
ROCHESTER, Feb. 3, 1880.

Hon. C. R. Parsons, Mayor of the City of Rochester:

Please call a Special Meeting of the Common Council for Wednesday evening, February 4, 1880, for the purpose of amending Charter Amendments:

W. Mandeville,	M. H. FitzSimons,
Louis Edelman,	D. G. Weaver,
Philip Wickens,	J. W. Knobles,
E. K. Warren,	George Chambers,
J. J. Hart,	Rudolph Vay,
Wm. H. Tracy,	Lyman M. Otis.

MAYOR'S OFFICE,
ROCHESTER, Feb. 3, 1880.

Edward Angevine, Esq., City Clerk:

In consideration of the foregoing request, I hereby call a Special Meeting of the Common Council for to-morrow (Wednesday) evening, at 7 o'clock.

CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

By Ald. FitzSimons—

Whereas, There exists great unanimity of opinion among all intelligent citizens familiar with the city government, that the present city charter, owing to frequent changes and amendments, has become almost useless as a work of reference on municipal law; and,

Whereas, The Charter Amendment Committee of the Common Council did, with the assistance of ex-Alderman Thomas C. Montgomery, prepare and perfect a rearrangement and amendment of the city charter, which, after due deliberation and debate, received the almost unanimous approval of this Board, and which, if enacted by the Legislature, will go far towards remedying many of the abuses arising from the construction put upon ambiguous and loosely defined sections of said charter generally construed to favor office-holding parties, and place in a clearer and more definite light the duties, powers and limitations of both the Common Council and other officers of the city government, besides effecting amendments beneficial to citizens at large; therefore,

Resolved, That our representatives in the State Legislature be and they are hereby most earnestly requested to use all reasonable means within their power to cause the speedy enactment of the proposed amendments to the city charter as presented by this Board, in their entirety, with the exception of the section which relates to electing Supervisors at large, which section is now understood to be unconstitutional.

Ald. Weaver moved to strike out the word "entirety".

Ald. FitzSimons consented, and the word was stricken out.

The preamble and resolution were then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Nays—Ald. Chace—1.

Ald. Hart moved to ballot for inspectors of election to supply vacancies in the Second District of the Sixteenth Ward and in the Fifteenth Ward. Adopted.

Geo. J. Farber, having received 13 votes, was declared elected Inspector of Election for the Second District of the Sixteenth Ward.

Leonard J. Millen, having received the requisite number of votes, was declared elected Inspector of Election for the Fifteenth Ward.

Ald. Hebing moved that the Charter Amendment Committee communicate with Senator Pitts and then, if they think it necessary, to proceed to Albany in the matter of the Charter amendments.

Ald. FitzSimons moved as an amendment that Ald. Mandeville, Hebing and Vay be a committee to take charge of the amendments,

Lost by the following vote:

Ayes—FitzSimons, Chace, Wickens—3.

Nays—Ald. Westbury, Otis, Hebing, Crouch, Chambers, Mandeville, Vay, Edelman, Weaver, Knobles, Hart—11.

The motion of Ald. Hebing was then adopted.

On motion of Ald. Crouch the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, Feb. 10th, 1880.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Nobles, Hart—15.

Absent—Ald. Crouch—1.
By Ald. Otis—Petition of J. E. Hayden for damages. Referred to the Law Committee.

By Ald. Warren—Petition of Oscar Craig for remission of taxes, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Warren—Petition for the improvement of North St. Paul street. Referred to the Improvement Committee.

By Ald. Hebing—Petition of the Trustees of the True Dutch Reform Church for permission to erect a wood building; also a remonstrance against the same. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Warren—Petition of Mrs. Catherine E. Mathews for the remission of taxes. Referred to the Assessment Committee.

By Ald. Chambers—Bills of
Wm. I. Hanford, serving notices..... \$ 2 56
Mensing & stecher, work..... 18 00
Referred to the Contingent Expense Committee.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bills of
Adam Vogel, meat..... \$ 50 00
L. A. Wheeler, meat..... 100 00
Louis Boss, bread and crackers..... 282 93
Smith, Perkins & Co., groceries..... 596 15
A. H. Cork, groceries..... 19 00
C. S. Woodward, Agt., groceries..... 8 00
O'Kane Bros., meat..... 100 00
A. Buerschmidt, meat..... 75 00
Gering Bros., flour..... 170 80
Bullkly & Co., groceries..... 18 25
N. S. Brayer, meat..... 50 00
Geo. J. Merz, flour and meal..... 171 25
J. Schutte, Overseer's disbursements..... 60 86

Referred to the Poor Committee.
By Ald. Mandeville—Bill of

James Fee & Bros., alcohol for torch..... \$6 00
Referred to the City Property Committee.

By Ald. Vay—Petitions of James McGee and Mary Beemer to remove wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Edelman—Petition of P. Knapp for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Weaver—Bill of
Gibert, Brady & Co., paving streets..... \$40 80

Referred to the Committee on Rearranging Lamps.

By Ald. Hart—Bill of
John C. Moore, docket and night book..... \$18 00

Referred to the Police Committee.

By Ald. Hart—Report of Police Clerk, and moved that it be received, filed and published.

Ald. FitzSimons moved that it be referred back to the Police Clerk to correct the report so that it shall cover the fines imposed with the collection of the same in instalments and the time of each collection, and also that the Police Justice make oath to the report.

Adopted by the following vote :
Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

By Ald. Hart—Petition for naphtha lamps on Wilder street. Referred to the Lamp Committee.

By Ald. Westbury—Petition of G. A. Burtholic for permission to erect a wood building. Referred to the Wood Building Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; Ald. Weaver, from the Committee on Re-arranging Lamps; Ald. Hart from the Police Committee; reported in favor of the various bills referred to their respective Committees, and referred them to the Finance Committee for payment.

Ald. Hebing, from the Law Committee, presented the following:

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

Your Law Committee to whom was referred the claims of divers persons who furnished bread to the Poor Department of the city, would report, that after a careful investigation into the facts of the case we find a balance due and owing from the city to the following named persons the several amounts set opposite their respective names as follows, viz.:

Home of Industry, balance due.....	\$ 5 04
Geo. Bastian,	7 54
Johanna Yawman,	12 68
M. Yawman,	18 98
J. Howe & Son,	17 52
Fleckenstein Bros.,	29 73
John Schwinger,	10 16
H. Kondolph,	14 25
	\$110 90

Your Committee would recommend the adoption of the following resolution:

Resolved, That the Clerk draw the usual order on the Treasurer, payable to each of the above named persons or firms, for the amount set opposite each of his or their names respectively, on their executing and delivering to him a proper receipt in full of their account against the city, and charge Poor Fund.

Dated February 10th, 1880.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Adopted by the following vote :
Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

Ald. Hebing presented the bill of costs in the suit of Raines vs. City of Rochester.

Ald. Hebing moved that the Clerk draw an order in favor of Thos. Raines for the judgment, \$1,000, and costs, \$261.41, in the suit of Raines vs. the City on his giving a release to be approved by the City Attorney for all claims in full and charge Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Weaver—9.

Nays—Ald. FitzSimons, Chambers, Hart—3.

By Ald. Vay—Resolved, That August Drees and L. Schiff have permission to erect wood

buildings in accordance with their several petitions under the directions of the Wood Building Committee and Fire Marshal. Adopted.

Ald. Tracy, from the Lamp Committee, presented the following form of contract between the National Gas Light Company and Mayor Parsons on behalf of the city:

This agreement, made this seventh day of February, 1880, between the National Gas Light Company of the City of New York, of the first part, and the City of Rochester, of the second part, witnesseth:—That for and in consideration of the amount hereinafter specified the National Gas Light Company hereby agrees to furnish and supply, by the use of their generating gas apparatus, four hundred of the public lamps of said city, to be designated by the Lamp Committee of the Common Council of said city, with light in each lamp equal to sixteen-candle power at all times while lighted, and to light and extinguish the same; also to clean and keep in good repair the lamps and glass in the same, and to furnish all the material therefor, for the term of one year from the first day of March next. Said party of the first part is to light all of said lamps and keep them in light one hour after sunset until daylight every night and all night during said year. For lamps found unlighted by the police and reported by them a deduction will be made for such amount as shall be deemed equitable by said Common Council. The material to be used in each lamp for burning and creating light is to be the best quality of naphtha, in all of non-partonment by the party of the first part of any of the provisions of this agreement, or the light furnished is not satisfactory to said Lamp Committee, then the party of the second part may terminate this contract at its option. At the termination of this contract the party of the first part hereby agrees to surrender back to the party of the second part, all the property belonging to it which said party of the first part has at any time become possessed of, in as good condition as when received—necessary wear and damage by the elements excepted.

In consideration of the complete fulfillment of the above agreement on the part of the said National Gas Light Company the party of the second part agrees to pay said company at the rate of seventeen dollars and eighty-five cents (\$17.85) per lamp per year, payments to be made monthly.

In witness whereof said party of the first part, by its authorized agent, and said party of the second part by its Mayor, have hereunto set their hands and seals this seventh day of February, 1880.

NATIONAL GAS LIGHT CO.
 SEALS: Per Prendergast.
 CORNELIUS R. PARSONS, Mayor.

Ordered received, filed and published.

FINANCE BUDGET.

ROCHESTER, N. Y., Feb. 10, 1880.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable.

CONTINGENT FUND.

MONTHLY PAY ROLL FOR JANUARY, 1880.

Cornelius R. Parsons, Mayor.....	\$168 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth, ..	150 00
Wm. Mahar, ..	150 00
Geo. W. Hall, Judge Municipal Court.....	150 00
J. W. Duell, ..	150 67
M. H. McMATH, Clerk ..	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building..	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. B. Parsons, Draughtsman ..	60 00
W. J. Stewart, Chainman ..	40 00
Ambrose Redman, Rodman ..	30 00
Peter Sheridan, Assistant in Clerk's Office....	58 34
E. W. Williams, .. Treasurer's Office	116 66
Warham Whitney, services in ..	62 56

MISCELLANEOUS.

O H Peacock, expenditures.....	\$ 35 12
S H Oviatt, expenses in Raines suit.....	7 05
C E Morris & Co., stationery, &c.....	240 05
John C Moore, blank books.....	198 14
Union and advertiser, printing.....	10 00
E Angevine, expenses to Albany.....	85 00
stamps and telegraphing.....	8 24
J Breck Perkins, services and expenses in Raines suit.....	258 50

Weed, Parsons & Co., extra work, charter and extra copies.....	109 00
C S Baker, extra labor engrossing charter.....	105 00
Rochester Star, publishing notices to Feb. 1st. And charge that fund.	25 00

POOR DEPARTMENT FUND.

PAY ROLL FOR MONTH OF JANUARY, 1880.

Joseph Schutte, Overseer.....	\$116 86
John E. McKeel, Assistant Overseer.....	50 00
John T. Tracy, bookkeeper.....	65 67
Jacob Lutt, clerk.....	40 00
Fred. Guac, cle.k poor store.....	20 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey.....	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Rockwell.....	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. Nov.....	41 67
Porter W. Taylor.....	41 67
Edward E. Bausch.....	41 67
Paris G. Clark.....	41 67

MISCELLANEOUS.

Rein' art & Kohler, meat.....	50 00
Erhardt & Co.....	50 00
E. D. Webster, shoes.....	13 00
John H. Frick, burials.....	6 50
H. Brewster & Co., groceries.....	161 39
William Punch, burials.....	13 50
Zegewitz & Fisher, meat.....	100 00
J. E. Butterfield, transportation.....	19 60
And charge that fund.	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL FOR MONTH OF JAN. 1880.

John O'Rourke, board of horse for November and December.....	\$36 00
Sam'l Donnelly, Supt. Board Health salary.....	40 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
Henry M. Heinold, Keeper of Hope Hospital..	50 00
John H. Mason, Inspr.....	50 00
Joseph Thompson, Inspr.....	50 00
John Christie, Inspr.....	50 00
Orrin Harris, Inspr.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Feb. 1, 1880.	
E. S.....	125 00
Bradley & Co., garbage contractor to Feb. 1, 1880. W. S.....	150 00
And charge that fund.	

LAMP DEPARTMENT FUND.

C. A. Jeffords, carting old lamps.....	\$ 2 50
Rochester Gas Co., care of lamps for January	1736 16
J. Kavanagh, hack hire.....	4 00
National Gas Co., care of lamps for January.....	566 67
Citizens, Gas Co., care of lamps for January.....	2287 20
Citizens' Gas Co., rearranging lamps.....	166 33
Sherlock & Sloan, pipe for rearranging lamps.....	695 32
National Gas Light Co.....	90 00
And charge that fund.	

POLICE DEPARTMENT FUND.

George Truesdale, Police Justice, salary to Feb. 1.....	166 66
B. Frank Enos, disbursements.....	17 00
And charge that fund.	

CITY PROPERTY FUND.

Hamilton & Mathews, drop letter plate.....	\$ 0 85
Rochester Gas Co., gas City Hall for Jan.....	122 76
F P Crouch, load of wood.....	3 00
John Irwin, letter box.....	1 00
And charge that fund.	

POLICE PAY ROLL FOR JANUARY, 1880.

Alex. M'Lean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00
W. J. Rogers.....	75 00
Thos. Lynch.....	75 00
Peter Lauer, Jr.....	75 00
F. C. Kavanagh.....	75 00
Berry Marziah.....	75 00
Thos. A. Burchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker.....	75 00
Jos. P. Cleary.....	75 00
Frank B. Allen.....	65 00
W. R. M'Arthur.....	65 00
Jacob Frank.....	65 00
John C. Haydon.....	65 00
John Wansman.....	65 00
Hugh Johnston.....	65 00
Hugh Clark.....	65 00
John H. Dana.....	65 00
Ed. Van Vorst.....	65 00

John C. McQuatters.....	65 01
Wm. H. White.....	67 17
Thos. Dukelow.....	65 00
Patrick H. Sullivan.....	102 00
Chas. M' Cormick.....	75 00
Jos. S. Roworth.....	75 00
Wm. F. Lush, 28 days.....	60 76
Barth. Crowley.....	65 00
Robt. Burns.....	65 00
Ralph Bendon, 28 days.....	60 00
Jacob Harter.....	65 76
Thos. Crouch.....	65 00
Andrew Connolly, 2 days.....	4 39
Wm. F. O'Neil.....	65 00
Benj. C. Further.....	65 00
Wm. H. Keith.....	65 00
John H. Wordell.....	65 00
B. Horcheler.....	65 00
John Mitchell.....	65 00
Robt. M'Kee.....	65 00
Chas. E. Fowler.....	65 00
Michael Brady.....	65 00
Wm. M'Kelv.....	65 01
Joseph Legler, 28 days.....	60 76
Wp. H. DeWitt.....	65 00
Nicholas J. Loos, 29 days.....	62 93
Fred. Griebel.....	65 00
Robert Sloan.....	65 00
Samuel Schwartz.....	65 00
Jas. A. Johnson.....	65 00
Patk. Hoctor.....	65 00
George Smita.....	65 00
Lewis Jessorer.....	65 00
Frank Vahne, 26 days.....	56 42
Michael Cain.....	65 00
Wm. H. Burgess.....	65 00
Michael Hynes.....	65 00
Frank D. Fay.....	65 00
Geo. Hoffner.....	65 00
James P. Flynn, 29 days.....	62 93
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove.....	65 00
Michael Wolf, Jr.....	65 00
John M. Reis.....	65 00
Charles W. Peart.....	65 00
Wm. Lantry, 28 days.....	60 76
Louis No'dt.....	65 00
Jerry Twaig, 28 days.....	60 76
Ed. McDonough.....	65 00
Older Oliver, 29 days.....	62 93
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	65 00
Daniel Gouling, Jr., 29 days.....	62 93
Patrick Holloran.....	65 00
Henry Graven.....	65 00
Chas. Stefferd.....	65 00
Frank Skum, 27 days.....	65 00
Oliver A. Youle.....	65 00
Mich. Hyland.....	65 00
Jacob Markey.....	65 00
B. Frank Enos, Clerk of Commissioners.....	116 67

Examined and approved
C. R. PARSONS,
FRED'K ZIMMER,
JACOB HOWE, JR.,
 Commissioner.

Ald. FitzSimons moved that the bill of Geo. W. Aldridge be referred to the City Property Committee. Adopted.

The budget was then adopted by the following vote:
 Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chase, Mandeville, Vay, Wickens, Edelman, Weaver, Hart—14.

Ald. Hebing, from the Law Committee, in the matter of Oak street improvement, reported progress and asked for further time. Granted.

By the Clerk—

TREASURER'S MONTHLY REPORT.
 CITY TREASURER'S OFFICE, Feb. 10, 1880.

To the Hon. The Common Council:
 GENTLEMEN—The Treasurer herewith submits the Monthly statement of the balances of the principal funds on the 10th day of February, 9 a. m., 1880, as required by section 59 of the City Charter.

Credit Balances.	
Contingent Fund.....	\$21,218 83
Police Fund.....	3,503 49
Lamp Fund.....	7,448 99
Poor Fund.....	2,780 88
Park Fund.....	58 11
Board of Health Fund.....	1,109 55
Home for Truants Fund.....	9 10
City Property Fund.....	1,857 94

Search Department Fund..... 879 15
 GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 10th day of February, 1880.
 PETER SHERIDAN,
 Commissioner of Deeds.

Ordered received, filed and published
 By the Clerk—

CITY CLERK'S OFFICE.
 ROCHESTER, N. Y., Feb. 10, 1880.

To the Honorable the Common Council :

In accordance with section 29 Revised City Charter, I report the following named persons as having qualiged and taken the oath of office :
 L. G. Miller, Inspector of Election, 15th ward.

Andrew Carle, Commissioner of Deeds.
 S. E. Sheffar, " "
 W. B. Lee, " "

EDWARD ANGEVINE, City Clerk.

Ordered received, filed and published.
 Ald. Hebing, from the Law Committee, presented the following :

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

GENTLEMEN: At the present term of the Monroe County Court the suit of Seth W. Marsh against the City of Rochester was tried before a jury and a verdict rendered by them of one hundred dollars in favor of plaintiff against the city.

This action was brought to recover damages alleged to have been sust-ined since the commencement of a prior action brought in May, 1877, which was tried at the March Circuit, 1879, and a verdict rendered therein for \$600.00 damages against the city. In the present action the plaintiff claimed to recover one thousand dollars damages. The plaintiff on the last trial made out a much stronger case against the city than on the former trial; but considering the lightness of the verdict as compared with the former, I am of the opinion it will be for the interest of the city to pay the same. The costs in the suit amount to \$121.31. All of which is respectfully submitted.

Dated February 10th, 1880.
 A. G. WHEELER, City Attorney.

Ordered received, filed and published.
 By the Clerk—

EXECUTIVE BOARD CITY OF ROCHESTER.
 ROCHESTER, N. Y., Jan. 31, 1880.

To the Common Council:

I have the honor to transmit herewith :
 1. A statement showing the expenditures of the Executive Board for all purposes during the month of January, 1880, accompanied by condensed summaries of weekly finance budgets and pay rolls.
 2. A balance sheet showing the condition of the several funds in the charge of the Executive Board at this date, which please receive as official.

Respectfully your obedient servant,
 FRANCIS P. KAVANAGH,
 Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER,
 OFFICE CITY HALL, Rochester, Jan. 31, 1880.

STATEMENT of expenditures by the Executive Board for all purposes during the month of January, 1880.

Total amount of all orders drawn upon the City Treasurer during the month.....	\$5,470 96
Funds Debited.	
Highway Fund.....	2,403 12
Sidewalk Repair Fund.....	59 03
Salary and Expense Fund.....	373 43
Hudson Street Improvement Fund.....	97 63
Upton Park Flag Walk Fund.....	999 00
Sundry Street Sprinkling Ordinance Funds, 13 in number.....	1,538 65
	\$5,470 96 \$5,470 96

MONTHLY BALANCE SHEET.

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 31st day of January, 1880.

Debit Balances:	
City Treasurer.....	\$18,258 67
Sidewalk Repair Fund.....	2,550 55
Upton Park Flag Walk Fund.....	999 00
Cr. Balances	
Highway Fund.....	17,633 40
Macadam Stone Fund.....	1,333 81
Salary and Expense Fund.....	2,841 01
	\$21,808 22 21,808 22

EXECUTIVE BOARD OF THE CITY OF ROCHESTER, }
 Office, City Hall, January 31, 1880. }
 Summary of payments in the month of January,
 1880, as per Finance Budgets.

Highway Fund.

B. O'Reilly, cross-walk stone.....	\$397 38
A. H. Kasseall, stabling.....	20 00
A. H. Weniger, blankets etc.....	5 75
H. Hebing, nails etc.....	31 70
Littlefield & Seifried, nails	6 10
Louis Ernst, nails.....	37 06
L. Schmitt, horseshoeing.....	5 00
E. Marx, whitewashes and repairs.....	5 50
J. Emory Jones, labor and material	25 92
J. Emory Jones, weights for bridge.....	62 76
Sherlock & Sloan, pipe and steam fit'g	8 99
W. Witherspoon & Sons, matches, 1878	1 40
McConnell & Jones, cobble stone.....	4 00
Whitmore, Rauber & Vicinus, stone and labor.....	47 49
L. A. Pratt, rubber wading boots.....	5 00
M. Heavey, hack hire at funeral.....	3 00
B. F. Martin, error in Snow tax.....	1 00
J. M. Keenan, barrel.....	8 75
Otis & Gorsline, sewer pipe.....	58 65
F. P. Kavanagh, clerk, pay for stone breakers.....	96 86
H. H. Edgerton, labor removing earth	10 00
Ferry Bauer, services Allen st. bridge.....	58 66
Edward Dunn, do do.....	57 33
Woodbury, Booth & Pryor, gaskets for S. Roller.....	2 00
Geo. B. Harris, services, 4 payments.....	61 36
Weekly pay rolls for labor, 4 payments	1,389 46
Total.....	\$2,408

SIDEWALK REPAIR FUND.

Littlefield & Seifried, nails and spike	\$ 3 85
Emory Hebing.....	19 40
L. E. Weaver, erroneous assessment.....	2 87
Otis N. Wilcox,	1 41
James H. Moore, labor, 10 1/2 days at \$1.50	15 75
James P. Clark,	13 13
John B. Kase,	1 87
Valentine Brasch,	75
Total.....	\$ 59 3

SALARY AND EXPENSE FUND.

A. K. Tower & Co., stationery.....	\$ 6 15
C. E. Morris & Co.,	15 78
Union & Advertiser Co., blanks.....	16 00
John P. Smith, notices.....	2 25
F. P. Kavanagh, salary for Jan.....	166 66
F. C. Lauer, Jr.,	166 67
Total.....	573 48

HUDSON STREET IMPROVEMENT.

Street Department, for cost of plank cross-walks not included in contract..... 97 68

UPTON PARK FLAG WALK.

Whitmore, Rauber & Vicinus, estimate No. 1 : Time order, 1 year, Jan. 3, 1880.....	333 00
" " 2 years.....	333 00
Cash order.....	333 00
Total.....	\$ 999 00

STREET SPRINKLING FUNDS.

For cost of street sprinkling hydrants: State street and Lake ave., ord. 2,041.....	\$101 88
East ave., sec. 1.....	2,642.. 97 18
" sec. 3.....	2,043.. 194 38
East and West Main sts.,	2,044.. 24 79
State and Exchange sts.,	2,045.. 52 40
East ave., sec. 2.....	2,046.. 64 80
Clinton st.,	2,047.. 84 79
Front st.,	2,048.. 52 40
Lake ave.,	2,049.. 226 76
Meigs st.,	2,053.. 49 01
West ave.,	2,061.. 294 38
Plymouth ave.,	2,063.. 52 39
Spruce st.,	2,064.. 52 39
Monroe ave.,	2,065.. 38 23
Park ave.,	2,066.. 55 58
Union st.,	2,070.. 52 40
Andrews st.,	2,071.. 52 40
North ave.,	2,072.. 52 39
Total.....	1,538 65

Total payments for all purposes..... \$5,470 96

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to account of Highway Fund as per Finance Budgets in the month of January, 1880, embracing the time from January 1st to 28th inclusive :

Names.	Kind of service.	Time.	Days.	Price.	Amt.
Arnes, John	laborer	4 1/4	1 00	4 25	
Brasch, Valt'e	carpenter	7 1/2	1 50	11 25	
Brown, Jacob	laborer	5 1/2	1 00	5 50	
Bryan, Patrick		5		5 00	
Bushnell, Chas		11		15 00	
Bushnell, Henry		10		10 00	
Bleck, Martin		6 1/2		6 50	
Bergan, John		2		2 00	
Burbott, August		11 1/2		11 50	
Burbott, George		4		3 00	
Boylan, Hugh		3		4 00	
Boyle, Patrick		7 1/2		7 75	
Boam, Peter		1		1 00	
Burke, Wm		2		2 00	
Brown, William		1		2 00	
Butler, James		5 1/2		5 50	
Butler, Thomas		1		1 00	
Clark, Jas P	inspector	14 1/4	1 50	21 37	
Caverish, Joseph	laborer	6	1 00	6 00	
Culligan, John		4 1/2		4 50	
Cusick, Thomas		5		5 00	
Cubit, Frederick		1		1 00	
Corcoran, John		1		5 00	
Cox, James		5		1 00	
Cole, James		1		1 00	
Cleary, Michael		3		3 00	
Ccrrigan, Jeremiah		1		1 00	
Connors, Lawrence		1		1 00	
Donovan, David		7 1/2		7 25	
Daly, James		4 1/4		4 00	
Dietrich, Andrew		2		6 00	
Dougherty, Martin		2		2 00	
Devereaux, John		1		1 00	
Dulohery, Daniel		2 1/2		2 50	
Daly, John		2		1 50	
Darmon, Henry		1 1/2		1 00	
Dill, Henry		1		1 00	
Emperor, John		1		2 00	
Eisenbauer, John		2		48 00	
Friedel, Joseph	foreman	24	2 00	48 00	
Farber, Geo J		24	1 50	36 00	
Farley, James	driver	23	1 00	23 00	
Fay, Frank	laborer	5	1 00	5 00	
Ford, John		3		3 00	
Farley, Peter		1		1 00	
Frankenberger, J		5 1/2		5 50	
Feeney, Michael		1		1 00	
Feeney, James		2		1 00	
Flanagan, Patrick		2		2 00	
Geib, John		23 1/2		23 75	
Geib, Jacob		10		10 00	
Gosnell, James		1		1 00	
Graeb, Adam		5		5 00	
Gottschalk, Fer'nd		3		3 00	
Gallagher, Dominick		2		2 00	
Gehring, John		1	1 50	1 50	
Hanford, W I	foreman	3 1/4	1 00	4 87	
Haraty, Joseph	laborer	5 1/4	1 00	5 25	
Hennessey, Patrick		4 1/4		4 75	
Hogan, John		4 1/2		4 50	
Herman, Frederick		3 1/2		3 50	
Heinsler, Anthony		5 1/2		5 50	
Hunt, William		4 1/4		4 75	
Harrington, Daniel		3 1/4		3 00	
Hensler, George		1		1 00	
Horn, Charles		2		2 00	
Hart, William		3		3 00	
Higgins, Craig		1		1 50	
Hart, Michael		1 1/2		1 00	
Hefron, Martin		1		1 00	
Kase, John B	carpenter	10	1 50	15 00	
Keller, And'w 1st laborer		5	1 00	5 00	
Kavanagh, John		11		11 00	
Kilpeck, Martin		15 1/2		15 25	
Kanole, Thomas		2		2 00	
Kuehn, John		3 1/2		3 75	
Kvor, John		2		2 00	
Kelly, Edward		3		3 00	
Keefe, John		2 1/2		2 50	
Keller, Andrew 2d		2		2 00	
Knaus, Joseph		1		7 00	
Lawrence, William		7		7 50	
Loveland, Joseph		5 1/2		5 50	
Laabs, Henry		1		1 00	
Lorenzo, August		2 1/4		2 25	
McMenomy, Ed	mason	4 1/2	1 50	6 75	
McIntyre, Wm	paver	2 1/4	1 25	3 44	
McMahon, John	laborer	8 1/2	1 00	8 50	
McNerney, John		4		4 00	
McCarthy, William		2		2 00	
McGrady, Owen		4		4 00	
McKenna, Thomas		7		7 00	
McWilliams, John		2		2 00	
McLaughlin, Daniel		1		2 00	
McGover, Hugh		1		1 00	
McVay, Patrick		2		2 00	
McCusker, Michael		1		1 00	
McCaffrey, James		1		1 00	
McDonald, Andrew		1		1 00	

Maloney, Patrick	5	5 00
Mulqueen, Mich'	6	6 00
Murphy, Michael	2	2 00
Moore, James H inspect'r	10	15 00
Newble, Philip, carpenter	1 1/2	1 50
Newcomb, Pat laborer	2	2 00
O'Brien, Terence	3	8 00
O'Brien, Jas	1	1 00
O'Brien, Michael	2	2 00
Ott, Conrad	11	11 00
Oster, Jacob	3	3 00
Parks, Henry, foreman	24	36 00
Pyne, John, laborer	4 1/2	1 00
Pierce, John	9	9 00
Pitzel, Charles	4 1/2	4 50
Paislo, John	1	1 00
Reeder, Peter, carpenter	4 1/2	1 50
Riley, Michael, laborer	1	1 00
Reider, Nicholas	22	22 00
Root, Jason	2	2 00
Ragan, Lawrence	5	5 00
Rea, Thomas	2	2 00
Rohan, Patrick	2	2 00
Ries, Christian	1	1 00
Sullivan, Jeremiah	8	8 00
Stenichel, Charles	7 1/2	7 50
Sullivan, Michael	7	7 00
Strewing, Frederick	1 1/2	1 75
Seitz, Henry	11 1/2	11 50
Sehm, Frank	2	2 00
Swanton, James	9 1/2	9 25
Schoenfelder, Ernest	1	1 00
Sturm, John	3	3 00
Steckel, John	5	5 00
Sullivan, William	2	2 00
Schroth, John	3 1/2	3 50
Schultz, Martin	1	1 00
Sommers, Louis	1	1 00
Splain, Thomas	1	1 00
Shannon, Jeremiah	1	1 00
Shehan, Patrick	1	1 00
Sullivan, Andrew	2	2 00
Sullivan, John	1	1 00
Thomas, William	3 1/2	0 50
Thomas, John W	2	2 00
Tupps, Frederick	1	1 00
Williams, Samuel, paver	12 1/2	15 75
Weis, Peter, laborer	4	1 00
Wonder, Jacob	3 1/2	3 25
Weingartner, Chris	4 1/2	4 25
Weiser, John	1	1 00
Weising, John	3	3 00
Wallace, Thomas	1	1 00
Yung, August	2	2 00
Kraft, William toolman	4 wks 9 00	36 00
Steinhauser, W. J clerk	4 1/2 11 54	46 16
Ames, Edwin, team	3	3 00
Armstrong, John	6	18 00
Bayer, Peter	9 1/2	28 50
Bauer, Charles F.	8 1/2	25 50
Barry, John	1	3 00
Comons, George	9	27 00
Curtin, John	13 1/2	5 25
Cram, Henry H	5	12 00
Crissy, George	5	15 00
Eisenhauer, John	9	27 00
Eble, Joseph	6	18 00
Eickert, John	7 1/2	22 50
Fleischer, Henry	2	6 00
Fisher, Benjamin	3 1/2	9 75
Haraty, Peter	7 1/2	21 75
Holls, William	4 1/2	13 50
Harneman, Fred'k	3	8 00
Kelly, Dennis	7 1/2	23 25
Kennedy, John	5 1/2	17 25
Keahl, Frederick	4	12 00
Knob, John	4	12 00
Miller, Michael	6	18 00
May, Martin	7	21 00
Moses, Frank	2	6 00
Nicholas, George	5	15 00
Oliver, Peter	7	21 00
Rossney, Patrick	10	30 00
Ryan, Michael	2	6 00
Stuppe, John	2	6 00
Smith, Hugh	1 1/2	13 50
Strewing, Ernest	1	3 00
Slattery, John	5	15 00
Sharp, George	1	3 00
Smith, John	5 1/2	16 50
Smith, William	1	3 00
Schneider, Louis	1	3 00
Ward, Frank	7 1/2	22 50

Total of four pay-rolls for labor \$1,389 46
 Ordered received, filed and published.
 By the Clerk—

WATER WORKS AND FIRE BOARD OF CITY OF ROCHESTER, }
 ROCHESTER, N. Y., Jan. 31, 1880. }
 To the Common Council:
 In accordance with the requirements of law I trans-

mit herewith:
 A Statement showing expenditures by this Board in the month of January, 1880, and the condition of the several funds in the charge of this Board at this date.

Respectfully,
 V. FLECKENSTEIN, Clerk,
 WATER WORKS AND FIRE BOARD,
 OFFICE CITY HALL, Jan. 31, 1880. }

STATEMENT
 Of expenditures by the Water Works and Fire Board in the month of January, 1880, and of the condition of the several funds in the charge of the Board at this date.

Water Works Fund.....	\$2,715 92
Water Pipe Fund.....	390 29
Fire Department Fund.....	3,899 17
Amount of orders credited to City Treasurer.....	\$ 7,005 38
MONTHLY BALANCE SHEET—CONDITION OF FUNDS.	

Credit Balance.....	
Water Works Fund.....	\$14,901 31
Water Pipe Fund.....	180 44
Fire Department Fund.....	14,567 18
Water Works Fund Special.....	1,515 47
Debit Balance.....	
City Treasurer.....	\$31,144 40
	\$31,144 40 \$31,144 40

V. FLECKENSTEIN, Clerk,
 OFFICE OF WATER WORKS AND FIRE BOARD,
 Jan. 31, 1879. }

DETAILED STATEMENT of expenditures in the month of January, 1880. Water Works Fund.

January 2.	
C. H. Mordoff, lumber.....	\$ 7 30
N. Y. C. & H. R. R.R. Co., freight on pipe.....	3 45
Watters & Doyle, coal.....	4 40
J. G. Wagner, error in water tax.....	14 40
L. Edelman, coal.....	30 95
Weekly pay roll, services and repairs.....	104 00
James Hart, whips.....	1 50
Pay roll, conduit line No. 2.....	20 50
Pay roll, Hemlock Lake.....	4 50
S. M. Stewart, labor and materials.....	11 09
Henry Hebing, hardware.....	12 40
	\$ 314 06

Jan. 9.	
Burke, Fitz Simons, Hone & Co., tools.....	3 00
L. Cassidy, labor at pump house.....	3 00
Wm. Witherspoon & Son, salt.....	3 75
Union & advertiser Co., printing.....	82 60
Western Union Telegraph Co., telegraphing.....	1 28
Office disbursements.....	6 88
C. A. Phillips, coal Co., paints, &c.....	7 50
Woods & Morse & Co., paints, &c.....	15 00
R. H. Fox, paints, oil, &c.....	20 35
Weekly pay roll, services and repairs.....	111 13
Geo. B. Harris, services in office.....	9 59
W. J. Wilcox, stationery.....	7 00
L. Schmitt, horse shoeing.....	13 90
Milton E. Gray, labor.....	6 00
Litfield & Sierfried, hardware.....	7 45
Thos. Hayes, drawing coal to Rush.....	4 00
	\$ 22 45

Jan. 16.	
C. E. Morris & Co., stationery.....	6 75
Co-Operative Foundry Co., trough.....	18 40
Howe & Snyder, curb boxes.....	8 75
Geo. B. Harris, services in office.....	9 59
B. E. Brown, repairs to tape measure.....	1 50
J. B. Stewart & Co., coal.....	64 50
Scrantom & Wetmore, stationery.....	10 38
J. H. Wilson & Co., coal.....	10 69
J. S. Chamberlain, waste.....	10 92
J. C. Barnard, oil and can.....	7 75
Robert Crennell, disbursements.....	1 39
Pay roll, service and repairs.....	103 13
Jos. Cowles, labor and materials.....	14 00
J. Hilbert & Co., drawing pipe.....	10 22
	\$ 266 07

Jan. 23.	
J. Emery Jones.....	89 20
Otis & Gorsline, drain pipe.....	4 74
Louis Ernst, hammer.....	7 00
A. Kasseall, board of horses.....	36 00
Pay roll, services and repairs.....	100 50
Whitmore, Rauber & Vicinus, labor and material.....	31 21
Jas. Field, packing.....	4 43
Thos. M. Bossom, county tax on property at Hemlock Lake.....	6 85
Sherlock & Sloan, labor and material.....	84 03
Geo. B. Harris, services in office.....	9 59
Geo. F. Stott, recutting files.....	3 06

Elizabeth C. Lord for house at Rush reservoir and use of same from Oct., 1876	50 00
Evening Express Printing Co., printing	6 00
John C. Moore, books and binding	14 00
	\$449 30

Jan. 30.	
Monthly pay roll, or erating expense.	1,312 67
Weekly pay roll, service and repairs	104 25
Pay roll, work on conduit line, sec. 2.	625 00
Edward McLenney, spirit level	1 50
S. M. C. & H. R. R. R., freight	1 71
T. M. Blossom, tax on property owned by the city at Canadice Lake	11 37
Geo. B. Harris, services in office	9 59
Co-operative Foundry Co., trough	20 00
Office disbursements	7 84
M. A. Warren, livery (B. F. Blackall)	2 00
Pay roll, conduit line, sec. 1	4 35
Robert Long, labor	1 50
	\$1,483 53

Total charged to the Water Works Fund. \$2,715 92
Fire Department Fund.

Jan. 2.	
L. S. Gibson, bay (two bills)	\$ 88 15
S. M. Stewart, labor and material	74 97
Strong & Woodbury, whips	8 77
Citizens Gas Co., gas	16 50
Chase & Otis, lumber	9 91
L. W. Wehn, hay and straw	46 02
C. H. Mordoff, lumber	10 31
L. S. Gibson, bill for washing	16 20
	\$ 220 83

Jan. 9.	
L. S. Gibson, hay	\$10 60
John Hoffman, oats	16 80
J C McKenzie, horse-shoeing	42 00
Office disbursements	1 90
B Snyder, stove, &c.	39 05
Rochester Gas Light Co, gas	35 00
Wm B Mor-e & Co, lumber	2 20
Louis Ernst, hardware	13 88
John C King, bedding, &c.	35 05
James Field, rope, pulleys, &c.	3 85
L S Gibson, disbursements	16 18
J P Hathaway, team of horses	487 50
	\$ 705 01

Jan. 16.	
J. McN-ill, oats	13 71
James Stowe, oats	23 90
H. H. Weniger, harness repairs	7 27
Sargent & Greenleaf, repairs	3 60
A. D. Glover, paint	1 50
Water Works Depart't, labor and mat.	18 62
Gerling Bros., feed	52 03
Thos. Brooks, harness repairs	9 30
J. J. Kolb, ringing fire alarms	45 00
P. Neville, carpenter work	8 00
Peter Voltz, ringing fire alarms	105 00
	287 93

Jan. 23.	
John H. Hill, copper wire &c	2 99
M. Huntington, paints, oils &c.	23 58
Sherlock & Sloan, labor and material	17 16
P. Neville, carpenter work	12 00
Whitmore, Rauber & Vicinus, labor and material	1 83
	57 56

Jan. 30.	
C. C. Woodworth, salary	166 67
V. Fleckenstein, salary	166 67
Monthly pay roll	2,225 83
L. W. Wehn, hay and straw	31 89
Office disbursements	5 11
P. Neville, carpenter work	4 00
Co-operative Foundry Co., plating	14 00
Chase & Otis, lumber	4 92
Irving D. Waite, moulding	2 75
	2,627 84

Amount charged to Fire Department 3,899.17

WATER WORKS FUND.

OPERATING EXPENSES—MONTHLY PAY ROLL, Jan. 31 1880.	
J. N. Tutbs	\$233 34
E. Kulchig	133 33
Thos. H. Rogers	55 00
T. J. Neville	125 00
C. A. Padley	75 00
L. M. Mandeville	50 00
W. N. Tutbs	40 00
S. C. McKay	90 00
Henry C. Smith	75 00
P. J. Healy	45 00
P. J. McCracken	45 00
J. McMahon	55 00
J. Almstead	50 00
C. W. Almstead	40 00

Alexander Gray	40 00
T. M. Blossom	40 00
R. Crennell	60 00
S. H. Oviatt	60 00
	\$1,312 07

SERVICE AND REPAIRS.

PAY ROLLS FOR WEEKS ENDING JAN. 3, 10, 17, 24, 31.	
P Fleming	\$60 00
E A Maher	60 00
John King	52 50
Frank Curran	48 75
L Lidster	52 50
H Weber	52 50
Wm McCarthy	37 50
Frank McKenna	37 50
J Gallagher	39 88
P McKenna	38 75
Peter Leck	38 13
Aug Bubert	3 50
Chas. Pitzgi	2 50
P. Rosney	3 00
George Bubert	1 00
Jos. Loveland	1 00
J. Logan	1 00
J. Cassidy	1 00
Warren Wade	4 30
	\$ 523 01

Conduit Line, Sec. 1—Pay Roll for Jan. 31, 1880.

B F Baker	\$ 1 25
G Telford	1 25
C Harries	2 00
Lock for tool house	35
	\$ 4 85

Conduit Line, Sec. 2—Pay Roll for Jan. 2, 1880.

F Cogan	\$ 6 25
E W Oviatt	6 25
John Norman	3 75
Jackson Brown	3 75
Wm Lauret	50
	\$ 20 50

Inspecting Conduit Line—Pay Roll for Jan. 31, 1880.

E W Oviatt	\$ 6 25
	\$ 6 25

Hemlock Lake—Pay Roll for Jan. 2, 1880.

Ed Curtain	\$ 1 75
Chas Connors	1 00
W Oviatt	1 25
Water pails	50
	\$ 4 50

FIRE DEPARTMENT PAY ROLL FOR THE MONTH ENDING JANUARY 31, 1880.

L S Gibson, Chief Engineer	\$ 114 00
J Malcomb, Assistant	33 33
J P Blackall, Supt. F. A. Telegraph	112 50
J P Foreman, Supt. Hose Dept	60 00
P. J. Bartel, eng'g'er and fore'n No. 1	60 00
M. Lumbert, driver	50 00
Thos Cole, hoseman	50 00
John Colbert	50 00
Chas. Whitbeck	50 00
Frank A. Jaynes, foreman No. 2	55 00
Charles Weaver, driver	50 00
J. B. Peller, hoseman	50 00
E. H. Mix,	50 00
F. C. Whitbeck,	50 00
J. P. Topham, f'mn and engi. No. 3	60 00
C. Armstrong, driver	50 00
J. McCormick, hoseman	35 50
Charles Little,	50 00
Owen Lynch,	50 00
Sam'l Genish, foreman No. 4	55 00
Bernard Kearney, driver	50 00
Leo White, hoseman	50 00
George E. Baker,	50 00
J. McMullen,	50 00
Joseph Kinsgestin, foreman H. & L. No. 1	25 00
J Plunkett, ass't	50 00
Thos Rice, tillerman	55 00
E. H. Roark, driver	50 00
James Snider, ladderman	41 00
P. O'Meara,	50 00
Frank Hicker,	50 00
Wm. Fogarty	50 00
Wm Boon eng'r and forem'n H. & L. No. 2	50 00
M S Butler, driver	50 00
Frank Spears, ladderman	50 00
Thos. Whitley	50 00
Chas Schafer	50 00
J. B. Hinger	50 00
Jerome P Dowd, foremn Chem Ext'r.	50 00
Nicholas Oldfield, pipeman	50 00
R Pendlebury, driver	44 00
Edmund Barker ass't pipeman	50 00
Total	\$2,225 83

Water Pipe Fund.

Jan. 16.		
John Creegan, laying pipe in group 43, of streets.....		\$7 36
Jan. 23.		
F. C. Lauer, final estimate, laying water pipe in group 46 of streets.....	\$41 56	
A. C. Bowen, final estimate, laying water pipe in group 43 of streets.....	59 80	
David Clancy, final estimate, laying water pipe in group 42 of streets.....	72 27	
John Howe, final estimate, laying water pipe in group 45 of streets.....	48 31	
David Clancy, final estimate, laying water pipe in group 47 of streets.....	62 15	
Howe & Snyder, final estimate, laying water pipe in group 44 of streets.....	98 84	

Total charged Water Pipe Fund \$390 29

Ald. Westbury presented the following communication:

ROCHESTER, N. Y., Feb. 10th, 1880.

Alderman Westbury, Member of Law Committee of Common Council:

DEAR SIR: The object of commencing an action in favor of Mr. Shedd, is to bring the matter to a determination in your body.

If the city will, ever 2; this date, pay the amount of Mr. Shedd's bill with interest from the time it ought to have been paid, say May 1st, 1879, we will accept the same without any costs of action. If you see fit to make this known to the Common Council you are at liberty to do so. Yours respectfully,
COGSWELL & BENTLEY.

Ordered received, filed and published.

Ald. Westbury presented the following resolution:

Resolved, That the City Treasurer pay on the usual Clerk's order to Wm. F. Cogswell, Esq., attorney, the amount of J. Herbert Shedd's claim against the city, \$403.65, in settlement of the pending suit, provided no cost or interest be paid by the city.

The Chair decided the resolution in order.

Ald. Otis moved that the bill be referred to Ald. Fitz Simons to contest the case at his own expense. Adopted.

The first ordinance for a foot bridge over the Genesee river was taken up.

Ald. Fitz Simons moved that the ordinance be adopted.

Lost by the following vote:

Ayes—Ald. FitzSimons, Warren, Hebing, Edelman, Weaver, Knobles, Hart—7.

Nays—Ald. Tracy, Westbury, Otis, Chambers, Chace, Mandeville, Vay, Wickens—8.

ACTION ON ORDINANCES.

FINAL ORDINANCE No. 2,094.

SEWER IN EXCHANGE STREET.

On motion of Ald. Edelman 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. Edelman submitted the following:

An ordinance to construct a sewer in Exchange street between Court street and West Main street, with stone arch and bench walls and with a curved brick invert, and equal in capacity to a 3 feet and 9 inch circular sewer.

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

The construction of a sewer in Exchange street, between Court street and West Main street, with stone arch and bench walls and with a curved, brick invert, and equal in capacity to a 3 feet and 9 inch circular sewer.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$10,000, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the territory described by, and enclosed within the following described boundary lines, to wit: Beginning at the intersection of the south line of the Erie canal with the east line of Fitzhugh street; thence southerly along the east line of said Fitzhugh street to

the south line of Troup street; thence westerly along the south line of Troup street to the alley extending north and south between Fitzhugh street and Plymouth avenue; thence southerly along said alley to a point opposite the division lines between properties heretofore owned by A. L. Johnson and George L. Stratton; thence westerly along said division lines to the west line of Plymouth avenue; thence southerly along said Plymouth avenue, and including one tier of lots on the west side thereof to Edinbrough street; thence continuing southerly along said Plymouth avenue and through Plymouth Park to Greig street; thence southerly along Greig street and including one tier of lots on the west side thereof, to Clarissa street, excepting the lot on the northwest corner of Clarissa street and Greig street; thence easterly along Clarissa street, to lands belonging to the Genesee Valley railroad; thence northerly along the west line of said railroad lands to Glasgow street; thence easterly along Glasgow street to the Genesee river; thence northerly along the Genesee river to the Rochester, Carroll and Fitzhugh race; thence northerly along the west line of said race to the south line of the Erie canal; thence westerly along the south line of the Erie canal to the place of beginning.

On such above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement may, pay their assessments in five equal payments, as follows: One-fifth of the amount assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of such roll; one-fifth of the amount, within two years from the confirmation of such roll; one-fifth within three years from the confirmation of such roll; and the remaining one-fifth within four years from the confirmation of such roll. On all sums paid prior to the maturity of the last installment a discount will be allowed of seven per cent. per annum.

Ald. Mandeville moved that the ordinance be amended by striking out "one tier of lots on the east side of Fitzhugh street."

Lost by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Mandeville—4.
Nays—Ald. FitzSimons, Warren, Hebing, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—11.

The ordinance was then adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.
Nays—Ald. Mandeville—1.

FINAL ORDINANCE NO. 2,095.

BROWN STREET LIFT BRIDGE.

On motion of Ald. Knobles 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. Knobles submitted the following:

An ordinance to construct a wrought iron lift bridge over the Erie canal at Brown street. Also the necessary abutments, &c., &c.

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

The construction of a wrought iron lift bridge over the Erie Canal at Brown street. Also the necessary abutments, &c.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$3,500, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the lands enclosed within and described by the following boundary lines: Commencing at the intersection of the south line of Allen street with the west line of the Erie canal; thence southerly along the west line of State street, and including one tier of lots on the west side thereof, to a point opposite the south line of Mumford street; thence easterly along Mumford street, and including one tier of lots on the south side thereof, to the Genesee river; thence northerly along the Genesee river to a point opposite and in line with the north line of Jay street; thence westerly along said north line of Jay street produced and the north line of Jay street to Child street; thence southerly along Child street to the north line of Campbell street; thence westerly along the north line of Campbell street to the city line; thence southerly along the city line to West avenue; thence easterly along West avenue to Brown street; thence easterly along Brown street and including one tier of lots on the south side thereof, to Allen street; thence easterly along Allen

street, and including one tier of lots on the south side thereof, to the place of beginning. Excepting therefrom all the territory heretofore designated to be assessed for Allen street lift bridge.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

And the tax payers to be assessed for making such improvement, may pay their assessment in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount, within one year from the confirmation of such roll; and the remaining one-third within two years from the confirmation of such roll. On all sums paid prior to the maturity of said last instalment, a discount will be allowed at seven per cent. per annum.

Adopted by the following vote:
Ayes—Aldrs. Tracy, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.
Nays—Ald. FitzSimons—1.

FINAL ORDINANCE NO. 2,066.

PLANK WALK ON HOELFER STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:
An ordinance to construct a plank walk on the north side of Hoelfer street, from Clinton and St. Joseph streets, in front of all the lots where good four feet plank walks do not already exist, and all existing walks shall be relaid to the proper grade, if necessary.

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

The construction of a plank walk four feet wide, on the north side of Hoelfer street, between Clinton and St. Joseph street, in front of all lots where good four feet walks do not already exist, and all existing walks shall be relaid to the proper grade necessary.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$225, which estimate is hereby approved; 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 Hoelfer street in front of which the proposed walk may be constructed or relaid.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:
Ayes—Tracy, FitzSimons, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—13.

The final ordinance for a plank walk on Warehouse street was brought up.

Ald. Chace moved that the ordinance be indefinitely postponed. Adopted.

CITY TREASURER'S OFFICE,
ROCHESTER, Jan. 26, 1880. }

To the Hon. the Common Council:

GENTLEMEN: I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2,063, for Hudson street improvement, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$23,130.26.
Yours respectfully,

GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT ASSESSMENT No. 2,068.

HUDSON STREET IMPROVEMENT.

Whereas, The Common Council did upon the 20th day of May, 1879, enact an ordinance for Hudson street improvement.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$23,130.26, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of Hudson street from North avenue to the north line of Channing street.

Therefore, Resolved, That the sum of \$23,130.26, being the whole amount of the expenses aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 14th day of Feb. 1880, at 9 o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Jan. 26th, 1879. }

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

GENTLEMEN—I hereby certify that the Executive Board have notified me that the work authorized under Ordinance No. 2050, for East Main street improvement, has been completed.

The amount to be assessed upon the property benefited, including any interest that the city shall incur, or is entitled to, for the use of its funds, is \$37,604.69.

Yours respectfully,
GEO. D. WILLIAMS, Treasurer.

LOCAL IMPROVEMENT, ASSESSMENT NO. 2,050.

EAST MAIN STREET IMPROVEMENT.

Whereas, The Common Council did upon the 18th day of March, 1879, enact an ordinance for East Main street improvement.

And, Whereas, The City Treasurer has reported the actual expenses of said improvement to be the sum of \$37,604.69, including such interest as the city has paid or become liable for.

And the portion of said city which said Common Council deemed would be benefited by said improvement is described as follows:

All the lots and parcels of land on each side of East Main street, from University avenue to Goodman street.

Therefore, Resolved, That the sum of \$37,604.69, being the whole amount of the expense aforesaid, shall be assessed on such lots and parcels of land.

And David McKay, Aug. M. Koeth, and Wm. Maher, 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 lots and parcels of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday the 14th day of February, 1880, at nine o'clock in the forenoon, at the office of the City Clerk.

Adopted by the following vote:
Aye.—Ald. Tracy, FitzSimons, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—14.

Ald. Hart moved that the penal ordinance relating to jumping on and off street cars be suspended. Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Warren, Hebing, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. Tracy, Otis, Mandeville—3.
The final ordinance for the extension of the Lake avenue outlet sewer came up.

Ald. Chace moved that the ordinance be postponed until the next regular meeting. Adopted.

Ald. Hebing moved that the rule to adjourn at 11 o'clock be suspended. Adopted.

By Ald. Knobles—Petition for lamps in Wilder st. Referred to the Lamp Committee.

Ald. Weaver called up the resolution offered at the last meeting for the changing of the name of North street to North avenue. He presented a remonstrance, and Ald. Edelman presented a petition for the same.

On motion of Ald. Hart the consideration of the subject was postponed to the next meeting.

By Ald. Vay—Resolved, That the New York Central and Hudson River Railroad Company

be requested to place a day and night watchman on each and every street in this city which is intersected by its tracks, and the Clerk is instructed to notify said company to that effect. Adopted.

By Ald. Mandeville—Resolved, That his honor the Mayor is hereby directed to sign, as mayor, a deed for a burial lot in Mount Hope Cemetery, executed by the city in 1873 to Norman Cowles. Adopted.

By Ald. Chace—Claims for the remission of taxes for Lake avenue sprinkling under ordinance 1,991. Referred to Law Committee.

Also petition of C. McPherson for remission of tax. Referred to Assessment Committee.

By Ald. Hebing—Resolved, That the Clerk draw an order on the City Treasurer for the sum of \$221.31, payable to Messrs. Benton & Dickinson, attorneys for Seth W. Marsh in full for damages and costs in the suit lately tried in the Monroe County Court wherein Seth W. Marsh was plaintiff and the city defendant, upon their executing and delivering a proper release and satisfaction of said claim, to be approved by the City Attorney, and charge contingent fund.

Adopted by the following vote :

Ayes—Ald. Tracy, Fitz Simons, Otis, Warren, Hebing, Chambers, Mandeville, Wickens, Edelman, Weaver, Knobles, Hart—12.

Nays—Ald. Chace, Vay—2.

By Ald. Warren—Resolved, That the City Treasurer be and he is hereby authorized to cancel the tax assessed to Stephen Rauber for Rauber street plank walk, and charge the amount (\$875) to erroneous assessment. Adopted.

By Ald. Warren—Whereas, Lots No. south parts 32 and 33 of the Johnson & Seymour Tract, St. Paul street, Fourth Ward, were assessed for General City Tax, 1879, and arrears of water rents under one valuation and in one amount, and are now owned by two or more persons; therefore,

Resolved, That the property described in a certificate from the Assessors, dated Feb. 9th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$141.95, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Feb. 9th, 1880. }

George D. Williams, Treasurer :

Sir—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the assessment rolls for the General City Tax for the year 1880 to Frank Croston, viz: Lots No. north part 33, Johnson & Seymour tract, west side of St. Paul street, Fourth Ward, 35 feet front, 35 feet rear and 55 feet deep, and that the owner of said property should pay as his portion of General City Tax, 1879, and arrears of water rents the sum of \$141.95, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS W. KOETH
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Feb. 10th, 1880. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos. pts 32 and 33 of the Johnson & Seymour Tract, St. Paul street, Fourth ward, were assessed for General City Tax, 1879, and arrears water rents, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated February 9th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$101.66, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Feb. 9th, 1880. }

Geo. D. Williams, Treasurer :

Sir: We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the year 1880 to Edward Mortimer, viz:

Lot No. N pt 33, Johnson & Seymour Tract, west side of St. Paul street, Fourth ward, 25 feet front, 25 feet rear, and 55 feet deep, and that the owners of said property should pay as their portion of General City Tax 1879, and arrears water rents, the sum of \$101.66, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS W. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., Feb. 10th, 1880 }

(A true copy.) GEO. D. WILLIAMS, Treasurer

Adopted.

By Ald. Warren—Whereas, Lots No. E, and W. pt. of the Assessors' subdivision Tract, Monroe avenue, Seventh Ward, were assessed for General City Tax, 1877, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated February 6th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$5.33 with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Feb. 6th, 1879. }

Geo. W. Williams, City Treasurer :

Sir, We, the Assessors of the city of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879, to Jennie W. Boyd, viz: Lot No. 5, Boyd's subdivision pt. town lot 52, north side of Monroe avenue, Sixteenth Ward, 40 feet front, 40 feet rear, and 100.00 feet deep, and that the owner of said property should pay as her portion of General City Tax, 1877, the sum of \$5.83, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KEOTH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE
Rochester, N. Y., Feb. 10th, 1880. }

(A true copy.) GEORGE D. WILLIAMS, Treasurer.

Adopted.

Ald. Otis stated that there were a large number of old lamp tops and pots on hand, and asked the pleasure of the Council respecting them.

Ald. Chace moved to refer to the Lamp Committee, with power to act. Adopted.

By Ald. FitzSimons—Resolved, That the Treasurer cancel on his books the tax assessed to Michael Cummings (\$100) for the construction of Platt street outlet sewer, providing that said Cummings shall execute a release for all claims for damages for fault in the construction of Platt street outlet sewer, and charge erroneous assessments. Adopted.

On motion of Ald. Chambers, the Board then adjourned.

EDWARD ANGEVINE, City Clerk.

1st Common Council, Feb. 24th, 1880.

REGULAR MEETING.

In the absence of the President the Clerk called to order, and Ald. Otis moved that Ald. Warren act as temporary President. Adopted.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the previous meeting were approved as published.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Westbury—Petition of John H. Bosworth and Mrs E. Dent to erect wood buildings, and asked that permission be granted. Adopted.

By Ald. Otis—Bill of Eagle Oderless Company.....\$ 37 20 Referred to Health Committee.

By Ald. Warren—Petition of C. S. Cook to erect a wood building, and moved that permission be granted. Adopted.

By Ald. Crouch—Bills of
P. & H. Scheard, meat..... \$50 00
W. & J. Aikenhead, candles..... 25 80
Schofield & Darling, transportation..... 30 80
Adam Zimmer, meat..... 125 00
E. McSweeney, coal at Excise Rooms..... 4 75

Referred to the Poor Committee.

REPORT OF THE OVERSEER OF THE POOR FOR THE MONTH OF JANUARY, 1880.

OVERSEER OF THE POOR OFFICE,
ROCHESTER, Feb. 24, 1880.

To the Honorable the Common Council of the City of Rochester

The Overseer of the Poor of the city of Rochester would respectfully report that during the month of January he has relieved 64 families in the following manner:

Orders on Poor Store.....	\$2,164 12
.. Poor Store, shoes.....	152 38
.. Coal Yard.....	508 62
.. Wood Yard.....	15 00
.. G. Mannel, drugs.....	7 35
.. Curran & Goler, drugs.....	1 00
.. J. O. Howard.....	1 00
.. Burke, FitzSimons Hone & Co., dry goods.....	13 00
.. Schofield & Darling, transportation.....	9 75
.. P. Joyce, burials.....	6 50
.. H. & P. Bender, burials.....	13 00
.. Hoffman & Mayer, burials.....	24 00
.. Wm. Punch, ..	12 00
.. Jeffries ..	6 50
.. B. O'Reilly ..	12 00
.. Focher & Maier, ..	12 00
.. A. W. Mudge, ..	24 00
Total.....	\$2,981 93
Less Towns.....	110 50

Total to city.....\$2,871 43
All of which is respectfully submitted.

Ordered received, filed and published.
J. SCHUTE, Overseer of the Poor.

By Ald. Crouch—Petition for water mains in Goodman street, from Monroe avenue to Harvard street, and moved that the prayer of the petition be granted and the pipes laid when there are funds applicable.

Ald. Fitz Simons moved that the matter be referred to the Water Works Committee. Adopted.

By Ald. Vay—Petition of John Van Hurtz to erect a wood building, and moved that permission be granted. Adopted.

By Ald. Wickens—Petition of John Wheaton to erect wood building, and moved that permission be granted. Adopted.

By Ald. Vay—Bill of expenses of A. McLean. Referred to Police Committee.

By Ald. Weaver—Bill of Citizens' Gas Co., \$189.17, removing lamps. Referred to Special Lamp Committee.

By Ald. Mandeville—Bills of
Rochester Gas Co., gas in city building..... \$122 60
Robins, Willis & Co., cord wood..... 4 50

Referred to the City Property Committee.
By Ald. Otis—Bills of

R. R. Gay, lighting and care of lamps.....	\$651 23
Citizens' Gas Co., lighting and care of lamps for month of February.....	2,498 88
Rochester Gas Co., lighting, &c.....	58 78
Rochester Gas Co., lighting and care of lamps for month of February.....	2,025 88
Wm. Connors, repairing lamps.....	42 40
National Gas Light Co., lighting, &c.....	34 00
National Gas Light Co., lighting, &c.....	566 67

Referred to the Lamp Committee.

REPORTS OF STANDING COMMITTEES.

Ald. Otis, from the Lamp and Health Committee; Ald. Crouch, from the Poor Committee; Ald. Mandeville, from the City Property Committee; Ald. Weaver, from the special Committee on Lamps; Ald. Hart, from the Police Committee; reported in favor of the various bills referred to their respective Committees and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., Feb. 24, 1880.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Mensing and Stecker, work.....	\$18 00
Wm. I. Hanford, serving notices.....	2 55
E. Angevine, telegrams.....	6 75
E. Angevine, postage, &c.....	10 00
C. S. Baker, certified copy of charter and extra labor on charter engraving.....	129 00
Thos. C. Montgomery, revising charter, &c.....	504 00

And charge that fund.

POOR DEPARTMENT FUND.

N. S. Brayer, meat.....	\$50 00
Adam Vogel, meat.....	50 00
L. A. Wheeler, meat.....	100 00
Louis Boss, bread and crackers.....	282 98
Smith, Perkins & Co., groceries.....	596 15
A. H. Cork, groceries.....	19 00
C. S. Woodward, Agt., groceries.....	8 00
O'Kane Bros., meat.....	100 00
A. Bauerschmidt, meat.....	75 00
Gerling Bros., flour.....	170 30
Bulkley & Co., groceries.....	18 75
Geo. J. Herz, flour and meal.....	171 25
J. Schute, Overseer's disbursements.....	60 86

And charge that fund.

CITY PROPERTY FUND.

James Fee & Bros., alcohol for torch.....	\$6 00
F. J. Irwin, monthly cleaning.....	38 75

And charge that fund.

LAMP DEPARTMENT FUND.

Gilbert, Brady & Co., paving streets.....	\$40 80
R. R. Gay, lighting, &c., for January.....	349 68
.. .. for February.....	651 23

And charge that fund.

POLICE DEPARTMENT FUND.

John C. Moore, docket and night book.....	\$18 00
-------------------------------------------	---------

And charge that fund.

PARK FUND.

R. F. Vaughn, grinding lawn mowers.....	50 00
-----------------------------------------	-------

And charge that fund.

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER,
ROCHESTER, Feb. 20, 1880.

To the Common Council:

The annexed accounts have been duly examined, audited and settled by the Executive Board, and are by resolution of said Board hereby certified to the Common Council for payment, under the provisions of Section 148 of the City Charter.

Respectfully,
THOS. J. NEVILLE, Clerk.

FINANCE BUDGET.

Water Works Department.

A. H. Kasseall, board of horses.....	\$	41	50
H. F. King, ice for office.....		13	00
Ludlow Value M'g Co., material.....		55	80
Thomas J. Neville, office disbursements		6	38

\$116 68

Fire Department.

Monthly pay roll, Fire Department....	2235	83
C. C. Woodworth, monthly salary.....	166	66
V. Fleckenstein, monthly salary.....	166	66
Geo. W. Aldridge, labor and material....	300	00
Thos. J. Neville, disbursements	3	50

2892 15

Street Department.

W. H. Gorsline, rent of dumping ground to Jan. 31.....	125	00	125	00
<i>Salary and Expense.</i>				
F. C. Lauer, Jr., salary of Feb., 1880..	166	67		
Francis Kavanagh, salary of Feb., 1880	166	67		

333 34

Water Pipe Department.

Jas. D. Casey, final estimate laying water pipe, group 41.....			55	24
----------------------------------------------------------------	--	--	----	----

Adopted by the following vote:
Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Vay, Wickens, Weaver, Knobles—11.

By Ald. Chace—Petition of Wm. D. Brooks for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Hebing—

To the Common Council of the city of Rochester :

Your Law Committee would report, in regard to the claims of various persons against the city for damages alleged to have been sustained by reason of the construction of a bridge over the New York Central & Hudson River Railroad on East Main street, in this city, and the construction of the abutments and approaches thereto, and the change of route of Goodman street through the Hair property near the bridge; that, in the opinion of your committee, the claims of the different persons are so varied in their character, and the question of law involved in each case are so dissimilar, that it is for the interests of all parties concerned that each claimant resort to his own legal remedy, instead of attempting to adjust the various interests and legal questions arising in the case by the appointment of commissioners. Your committee, therefore, offer the following resolution for the consideration of the Board:

Resolved, That the City Attorney be and he hereby is directed not to enter into any negotiations or stipulations on the part of the city by way of compromising said claims.

All of which is respectfully submitted.

HENRY HEBING,
D. H. WESTBURY,
Committee.

Dated February 24, 1880.

Laid on the table till the next meeting.

By Ald. Hebing—

To the Common Council of the City of Rochester :

Your Law Committee to whom was referred the communication of Messrs. Cook and Pond would report: That said Cook & Pond are attorneys for the owners of the land lying between the race and Genesee river, north of Court street and south of the aqueduct, that the city is the owner of two rights of water in said race. The owners of said land are desirous of building a race wall on the east side of said race which shall run in a straight line from Court street to the aqueduct. The owners of the other water rights, as your Committee are informed and believe, have agreed

upon such line, and they request the city of Rochester to join with them in executing a quit claim deed to the owners of said land of the strip or pieces of land east of the said line upon which the grantees are to build said wall.

Your Committee after a careful investigation of the facts find no valid objection thereto, and offer the following resolution for action:

Resolved, That the Mayor be and he is hereby authorized for and on behalf of the city to execute with the other several owners of rights of water on said race a quit claim deed to the owners of the land lying between Court street and the aqueduct, and east of the race of the strips or peices of land east of the proposed line upon which said race wall is to be built.

All of which is respectfully submitted.

Dated February 24th, 1880.

HENRY HEBING,
D. H. WESTBURY,
Committee.

Adopted.

By Ald. Hebing—

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

Your Law Committee to whom was referred the claims of various persons for bread furnished the Poor Department would report that there is a balance of \$15.35 due George Oppel for bread furnished said department in the months of July and August, 1879. The annexed bill shows the several amounts furnished and the payments made thereon to which reference is made. The Committee are of the opinion that said bill should be paid and therefore offer the following resolution for action:

Resolved—That the Clerk draw the usual order on the Treasurer for \$15.35 payable to George Oppel (being balance due him for bread furnished Poor Department) and deliver the same to him on his executing and delivering to the Clerk a receipt in full therefor, and charge the amount to the Poor Fund.

All of which is respectfully submitted.

HENRY HEBING,
D. H. WESTBURY,
Committee.

Dated February 24th, 1880.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chace, Vay, Wick-Edelman, Weaver, Knobles—12.

Ald. Vay, from the Wood Building Committee, on the erection of a wood building for the True Dutch Reform Church, reported progress and asked for further time. Granted.

By Ald. Warren—Petition of C. R. Babbitt for remission of taxes. Referred to the Assessment Committee.

Ald. FitzSimons, from the Finance Committee, reported that the Committee on Investigation of the Treasurer's accounts, reported that they had found the books correct and would make a full report at the next meeting, he therefore asked for further time, which was granted.

By Ald. Edleman—Petition of Charles W. Wilbor for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By the Clerk—

REPORT OF EXCISE COMMISSIONERS FOR THE MONTH OF FEBRUARY, 1880.

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

GENTLEMEN: The undersigned, Commissioners of Excise of the city of Rochester, report that moneys have

been received by said Commissioners from the persons named, and in the respective amounts set forth in the following schedule, commencing February 2d, and including February 2d, 1880, for licenses to sell and dispose of strong and spirituous liquors, wines, ale and beer, in quantities less than five gallons at a time, to wit:

Maher, Catherine, 78 S. St. Paul.....	\$95 00
Geitz, Geo. M., 86 St. Joseph.....	20 00
Gally, Christian, 111 N. Ave.....	30 00
Percy, John G., apt. 215 N. Clinton.....	20 00
Crisley, George, 40 S. St. Paul.....	48 00
Feutrier, Chas., 126 W. Main.....	20 00
Arnold, Mary, 8 Wilder.....	20 00
Davis, A. Dixon, apt. 8 Thompson.....	20 00
Parkinson, Geo. W., 45 Hill.....	22 00
Port, Chas., 44 Herman.....	34 00
Huddy, William, 53 Monroe ave.....	20 00
Feutrier, Charles, 126 W. Main.....	30 00
Connell, Timothy, W. Main.....	30 00
Murray & Rauber, 13 S. St. Paul.....	20 00
Schary, Louis, 83 N. Clinton.....	35 00

Total amount received and deposited with
City Treasurer..... \$414 00
Dated Rochester, N. Y., February 23, 1880.

STATE OF NEW YORK,
County of Monroe, ss.

Vincent M. Smith, Porter W. Taylor and Charles F. Wolters, of said city, county, and State, being duly sworn, say, and each for himself says, that the foregoing annexed report of moneys received by them for the purposes named in said report, with the names of the persons therein given, are correctly set forth in said report, and that the same embraces all of the moneys received from January 5th, to January 26th, 1880, inclusive.

VINCENT M. SMITH,
PORTER W. TAYLOR,
CHARLES F. WOLTERS,Ex-Officio Com'rs.

Sworn to before me this 23d day of February, 1880.

PARIS G. CLARK,

Commissioner of Deeds in and for the city of Rochester, N. Y.

Ordered received, filed and published.

By the Clerk—

In Board of Education—Regular Meeting, Feb. 16, 1880.

[Extract from Official Minutes.]

Com. Martens, from the special committee appointed at the last meeting, presented the following report: To the Honorable the Board of Education:

GENTLEMEN: Your committee to whom was referred the proposed charter amendment increasing the repair fund of the Board of Education from \$5,000 to \$10,000, would report that, after a careful consideration of the subject, and an examination of the accounts of said funds for the past and previous years, your committee are of the opinion that it would be wise to give the Common Council power to raise for the Board of Education a sum not exceeding \$10,000, when the necessities of the school buildings shall require that amount. By such an amendment it would always be discretionary with the Common Council to determine what sum to place in the "repair fund"—whether \$5,000, as heretofore, or any additional amount, up to \$10,000, when in their judgment, and upon the recommendation of the Board of Education, they shall deem it necessary to use more than \$5,000.

Your committee would, therefore, recommend the adoption of the following:

Resolved, That the Common Council be requested to ask for, and our representatives in the legislature urged to secure an amendment to the present city charter increasing the amount which the Common Council may, in any one year, raise for the "repair fund" of the Board of Education, from \$5,000 to a sum not exceeding \$10,000.

W. S. MARTENS,
WARNER WESTCOTT,
THOMAS TAIT,
J. M. BROWN,
Committee.

Adopted unanimously.
A true copy.

A. L. MABBETT, Clerk.

Referred to the Charter Amendment Committee.

ACTION ON ORDINANCES.

IMPROVEMENT OF NORTH-ST. PAUL STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of improving North St. Paul street, from the south line of Scramton street to the north line of the city, by the construction of a roadway of quarried stones covered with gravel, with Medina stone curbs and gutters on each side thereof, and to be twenty-six feet between

lines of curbstones. Also, the necessary crosswalks, surface sewers, and the necessary repairs to existing walks and the necessary grading of the remaining portion of the street.

Adopted.

The Surveyor submitted as such estimate, \$40,000.

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

The improvement of North St. Paul street, from the south line of Scramton street to the north line of the city, by the construction of a roadway of quarried stone covered with gravel, with Medina stone curbs and gutters on each side thereof, and to be twenty-six feet wide between lines of curbstones. Also, the necessary crosswalks, surface sewers, and the necessary repairs to existing walks, and the necessary grading of the remaining portion of the street.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$40,000, which estimate is hereby approved.

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

One tier of lots on each side of North St. Paul street, from the south line of Scramton street to the north line of the city of Rochester.

And further, Resolved, That the tax payers to be assessed for making such improvement may pay their assessments in five equal payments, as follows: One-fifth of the amount assessed within thirty days after the advertisement of the Assessment Roll; one-fifth of the amount within one year from the confirmation of said Roll; one-fifth of the amount within two years from the confirmation of said Roll; one-fifth of the amount within three years from the confirmation of said roll, and the remaining one-fifth within four years from the confirmation of said roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed at seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, March 9th, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

Ald. Weaver called up the resolution in regard to changing the name of North street to North avenue.

Ald. Edelman moved that the name of North street from Main street to the railroad be change to North avenue.

Ald. Weaver presented a remonstrance, and moved that the matter be indefinitely postponed.

Ald. Otis moved that the matter be referred to the Committee on Opening and Alteration of Streets to report at the next meeting. Adopted.

By Ald. Knobles—Resolved, That the Lattimore Free Lecture Association be allowed the use of the City Hall for a course of free lectures in the same manner as heretofore. Adopted.

Ald. Mandeville called from the table the report of the Law Committee on claim of damages on East Main and Goodman streets, and moved that it lie on the table until the next regular meeting. Adopted.

By Ald. Mandeville—

Resolved, That permission be and the same is hereby given to the Rochester Electric Light Company, to lay, construct and maintain mains, conductors and wires within the lines of the streets, avenues and public places of the city of Rochester, with such connections as may be necessary for the purpose of supplying electric light to the city and the inhabitants thereof; provided, however, that before disturbing the pavement of any street said company shall execute and deliver into the city a bond for \$20,000, with adequate securities, to be approved by the Mayor: conditioned that said grantee, whenever it may disturb the pavement or sidewalk of any public street, shall re-

store the same to as good a condition as the same were found; and, conditioned further, that the said grantee shall, and will at all times, indemnify and save harmless the city from all damages or liability on account of excavations or obstructions that may be made by said grantee in such streets; and, provided further, that said mains, conductor and wires shall be laid, constructed and maintained in such manner as this Common Council may, from time to time, prescribe, and to the satisfaction of such officer or officers as they may designate; and, provided further, that the grantee shall indemnify all damages caused by their wires being located upon buildings or private property.

Ald. Hart moved that the resolution be postponed for two weeks.

Lost by the following vote:

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens Edelman, Weaver, Knobles, Hart—16.

By Ald. Edelman—Resolved, That the Board appropriate two hundred dollars for a clock in the Holy Redeemer church of this city, by request of the taxpayers and citizens of the 13th and 16th wards.

Ald. Vay moved that the resolution be referred to the City Property Committee.

Lost by the following vote:

Ayes—Ald. FitzSimons, Warren, Vay, Weaver—4.

Nays—Ald. Tracy, Westbury, Otis, Hebing-Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Knobles, Hart—12.

Ald. Weaver moved that the matter be indefinitely postponed.

Lost by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Wickens, Weaver—7.

Nays—Ald. Tracy, Crouch, Chambers, Chace, Mandeville, Vay, Edelman, Knobles, Hart—9.

The resolution was then adopted by the following vote:

Ayes—Ald. Tracy, Crouch, Chambers, Chace, Mandeville, Vay, Edelman, Knobles, Hart—9.

Nays—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Wickens, Weaver—7.

By Ald. Vay—Resolved, That the Executive Board be requested to remove the obstruction in Saxon street south of the State Line railroad and charge the expense thereof to the parties violating said ordinance. Adopted.

By Ald. Hart—Resolved, That the Executive Board be requested to repair the walks on University avenue. Adopted.

Ald. Chace in the chair.

By Ald. Warren—Petition of the committee on the estate of F. J. Dowling for remission of taxes. Referred to the Assessment Committee.

By Ald. Warren—

To the Honorable the Common Council:

GENTLEMEN—Your Assessment Committee offer the following resolutions and recommend their adoption:

Resolved, That the Treasurer receive the amount of unpaid taxes on the property of Catherine E. Mathews, with interest at seven per cent., from the date of the sale of the same.

Resolved, That the Treasurer receive from Mary E. Hutchinson the amount of taxes assessed on her property, (lot 5,) on Meigs st., with interest at seven per cent. from the date of sale of the same. Adopted.

By Ald. Warren—Whereas, Lots Nos. 58, 59 north side and east parts of the 10 Acre Tract, Fitzhugh street, First Ward, was assessed for general city tax, 1879, and arrears of water rents, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated Feb. 16th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$44.40, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., Feb. 16th, 1880.

George D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property will be assessed upon the Assessment Rolls for the General City Tax for the year 1880 to S. C. Wollard and Mrs. E. Briggs, viz:

Lot No. 59, n e part 100 Acre Tract, east side of Fitzhugh (in rear) street, First ward, 33 feet by 33 feet rear, and 69 4-12 feet deep, and that the owner of said property should pay as their portion general city tax 1879, and arrears of water rents the sum of \$44.40, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOLTH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., Feb. 24th, 1880.
(A true copy.) GEO. D. WILLIAMS, Treasurer.
Adopted.

By Ald. Otis—Resolved, That the City Treasurer make the city's note for \$10,000, get the same discounted, and credit the proceeds to the Police Fund, said note when drawn to be countersigned by the chairman of the Finance Committee.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

By Ald. FitzSimons—Resolved, That upon the payment into the treasury of \$9.37, the amount of the general city taxes for 1864 and 1867 on lots 47 and 48, Thurber tract, the City Treasurer cancel the said taxes and the tax sale therefor. Referred to the Assessment Committee to report at the next meeting.

By Ald. FitzSimons—Communication from Henry Harrison in regard to remission of taxes. Referred to the Assessment Committee.

By Ald. FitzSimons—Whereas, Our Member of Assembly and Senator from this district have by honorable, intelligent and persistent efforts succeeded, notwithstanding great difficulties and obstacles in securing the passage of the City Charter as amended by this Board, therefore

Resolved, That the thanks of this Common Council be tendered to the Hon. Charles S. Baker and Hon. E. L. Pitts for their intelligent and untiring efforts resulting in the passage of the amended city charter.

By Ald Tracy—Resolved, That the use of the City Hall be granted on the evening of the 17th of March for the purpose of holding a concert for the benefit of St. Patrick's Orphan Asylum. Adopted.

The Board then adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, March 5th, 1880.

CONVENED AS A BOARD OF CANVASSERS.

Present—Ald. Fitz Simons, Westbury, Otis, Hebing, Chambers, Chace, Vay, Wickens, Edelman, Weaver, Knobles—11.

Absent—Ald. Tracy, Warren, Crouch, Mandeville, Hart—5.

Ald. Chase, President of the Board, presiding.

CITY CLERK'S OFFICE, }

ROCHESTER, N. Y., March 5, 1880. }

STATE OF NEW YORK, } ss:

City of Rochester, }
We, the undersigned, Members of the Common Council of the city of Rochester, convened as a Board of Canvassers, do hereby certify that we have examined the certified statements of the Inspectors of Elections of the several election districts for the election of city and ward officers, held on the second day of March, 1880, filed in the office of the Clerk of said city, and from said statements we do certify and determine that the following named persons, by reason of having received the greatest number of votes, were duly elected to the several offices as herein respectively set forth:

CITY OFFICERS:

Mayor—Cornellus R. Parsons.
City Treasurer—George D. Williams.
Member of the Executive Board—Jacob Gerling.
Game Constable—George M. Schwartz.

WARD OFFICERS.

SUPERVISORS FOR THE TERM OF ONE YEAR.

First Ward—James W. Clark.
Second Ward—James Day.
Third Ward—Frank M. Botum.
Fourth Ward—James E. Haydon.
Fifth Ward—Conrad Bachman.
Sixth Ward—Joseph Hoffman.
Seventh Ward—George Eberling.
Eighth Ward—Bernard O'Kane.
Ninth Ward—Martin Joiner.
Tenth Ward—Harry C. Jones.
Eleventh Ward—John Bouyer.
Twelfth Ward—Phillip Weider.
Thirteenth Ward—John A. P. Walter.
Fourteenth Ward—Thomas Crane.
Fifteenth Ward—Anthony H. Martin.
Sixteenth Ward—Alexander Button.

ALDERMEN FOR THE TERM OF TWO YEARS.

First Ward—William H. Tracy.
Third Ward—David H. Westbury.
Fifth Ward—Owen F. Fee.
Seventh Ward—Ira L. Otis.
Ninth Ward—Silas D. Walbridge.
Eleventh Ward—John A. Felsing.
Thirteenth Ward—Lewis Edelman.
Fifteenth Ward—John Miller Kelly.

SCHOOL COMMISSIONERS FOR THE TERM OF TWO YEARS.

First Ward—Henry Bemis.
Third Ward—Thomas McMillan.
Fifth—Franklin B. Hutchinson.
Seventh Ward—Milton Noyes.
Ninth Ward—De Lancy Crittenden.
Twelfth Ward—Charles H. Granger.
Thirteenth Ward—William G. Martens.

CONSTABLES FOR THE TERM OF ONE YEAR.

First Ward—Joseph Ringsteinn.
Second Ward—Patrick H. Griffin.
Third Ward—Wm. H. Groot.
Fourth Ward—James Hilley.
Fifth Ward—John Materson.
Sixth Ward—Paul Engelhardt.
Seventh Ward—C. Edwin Palmer.
Eighth Ward—John Dally.
Ninth Ward—Eben W. Carr.
Tenth Ward—Wm. S. Brown.
Eleventh Ward—Charles W. Weis.
Twelfth Ward—John Dart.
Thirteenth Ward—George Barth.
Fourteenth Ward—John Barry.
Fifteenth Ward—Joseph Hubachek.
Sixteenth Ward—John Barrett.

INSPECTORS OF ELECTION FOR THE TERM OF ONE YEAR.

1st Ward—Edward F. Stillwell and James E. H. Alexander; J. Irving Durand (appointed).
2d Ward—Henry P. Lynch and Wm. McCarthy.
3d Ward—1st Dis.—Wm. Tanner and Chas. D. Evans.
3d Ward—2d Dis.—Wm. H. Whiting and Wm. E. Gregory; Phillip McConnell (appointed).
4th Ward—W. V. K. Lansing and Horace C. Rose.
5th Ward—1st Dis.—Chauncey B. Dostater and Henry McDonald; Frank E. Rowe (appointed).

5th Ward—2d Dis.—Geo. H. Truex and Andrew Miller; James Lynch (appointed).
6th Ward—Edward Engelhardt and Chas. Enders.
7th Ward—1st Dis.—James T. Tierney and Wm. Bassett, Jr.
7th Ward—2d Dis.—William I. Hanford and Geo. H. Brown; William S. Woodruff (appointed).
8th Ward—1st Dis.—George F. Bortle and Edward T. Turk; Maurice Moynihan (appointed).
8th Ward—2d Dis.—Thomas E. Brannigan and Moses Furlong.
9th Ward—1st Dis.—Chas. J. Lester and Richard Bennett.
9th Ward—2d Dis.—Chas. Benner and Chas. Hanford.
10th Ward—George W. Hatch and Asa S. Jayne; Frank J. Brennan (appointed).
11th Ward—1st Dis.—Henry Weber and Edward J. O'Brien.
11th Ward—2d Dis.—Wm. Bauer and George W. Collins.
12th Ward—1st Dis.—Roswell Woodward and Wm. Waldert; Thomas Oliver (appointed).
12th Ward—2d Dis.—Joseph McDermott and John B. Schimmel.
13th Ward—1st Dist.—John Guggelman and Frederick Young, Jr.
13th Ward—2d Dist.—Levi L. Lobes and James H. Moore.
14th Ward—Lewis H. Miller and Thomas Gosnell.
15th Ward—Leonard H. Miller and Thomas Dally.
16th Ward—1st Dist.—James W. Stanley and Chas. H. Bowen; Robert Ates, Jr., (appointed).
16th Ward—2d Dist.—Chas. H. Dufbeis and Geo. J. Farber.
16th Ward—3d Dist.—John A. Laforce and John B. Simmelink.
Signed in Duplicate.

M. H. FITZSIMONS,
LYMAN M. OTIS,
HENRY HEBING,
GEORGE CHAMBERS,
EMORY S. CHACE,
RUDOLPH VAY,
PHILIP WICKENS,
LEWIS EDELMAN,
DEVALSON G. WEAVER,
JOSEPH W. KNOBLES

On motion of Ald. Otis, the Certificate was adopted, and the Board adjourned.

EDWARD ANGEVINE, City Clerk.

In Common Council, March 9, 1880.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

The minutes of the previous meeting were approved as published in the book of proceedings.

PRESENTATION OF PETITIONS, ACCOUNTS, & C.

By Ald. Otis—Bills of

Howe & Snyder, lamp burners, &c..... 104 62
Referred to the Lamp Committee.

By Ald. Otis—Petition of Asa W. Chappell to erect a wood building and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Warren—Petition of Curtice Bros. for permission to erect a wood building and moved that the prayer of the petitioner be granted. Adopted.

Also petition for the opening of Tracy Park. Referred to the committee on the opening and alteration of streets.

By Ald. Fitzsimons—Petition of John M. Brown for permission to erect a wood building and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Westbury—Petitions of John H. Bosworth and Mrs. E. Dent for the erection of wood buildings and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Crouch—Petition of Albert S. Allen for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal.

By Ald. Crouch—Bills of

J. Schutte, Overseer's disbursements.....	\$ 69 15
Hoffman & Mayer, burials.....	84 00
C. E. Woodward, ag't, groceries.....	8 00
A. H. Cork,	19 00
Union & Advertiser Co., printing.....	9 45
Sunday Herald,	3 20
Bulkeley & Co., groceries.....	12 00
John Hahn, meat.....	12 00
Geo. F. Murtz, flour and meal.....	171 25
F. J. Amsden, transportation.....	5 00
John Hart, shoes.....	59 20
S. Wheeler, rent.....	8 00
L. A. Wheeler, meat	100 00
F. Fahy, meat.....	125 00

Referred to the Poor Committee.

By Ald. Crouch—

REPORT OF THE OVERSEER OF THE POOR FOR THE MONTH OF FEBRUARY, 1880.

OVERSEER OF THE POOR OFFICE,
ROCHESTER, March 9th, 1880.

To the Honorable and Common Council of the City of Rochester

The Overseer of the Poor of the city of Rochester would respectfully report that during the month of February he has relieved 649 families in the following manner:

Orders on Poor Store.....	\$1,996 50
.. .. Poor Store, shoes.....	147 10
.. .. C. H. Babcock, coal.....	438 66
.. .. Wood Yard.....	8 00
.. .. Burke, FitzSimons Home & Co., dry goods.....	3 00
.. .. G. Mannel, drugs.....	3 50
.. .. J. O. Howard.....	1 50
.. .. Schofield & Darling, transportation.....	12 45
.. .. M. Heavy.....	2 00
.. .. F. J. Amsden.....	5 00
.. .. Hoffman & Mayer, burials.....	55 50
.. .. B. O'Reilly,	24 00
.. .. A. W. Ridge,	22 00
.. .. H. & P. Bender,	6 50
.. .. Foehner & Maier,	12 00

Total.....	\$2,727 72
Less Towns.....	106 86

Total to city.....\$2,621 86

All of which is respectfully submitted.

J. SCHUTTE, Overseer of the Poor.
Ordered received, filed and published.

By Ald. Chambers—Petition of John Vickerman and Josephine Treehouse for permission to erect wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Chambers—Bills of

Herald Printing Company, printing notices..	\$ 123 70
L. C. Tower, stationary.....	5 55
Wm. Coughlin, lumber.....	10 18
Wm. I. Hanford, serving notices.....	2 58
F. X. Masseth, hackhire.....	10 00

Referred to the Contingent Expense Committee.

By Ald. Mandeville—Petitions of Nicholas Hanna, Harriet Hoyt and Louis Ness, for permission to erect wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Mandeville—Bills of

Woodbury, Booth & Pryor, repairing boilers....	\$ 4 80
John R. Brady, painting City Hall and Front St. Building.....	51 86
Howe & Snyder, labor and material.....	57 20

Referred to the City Property Committee

By Ald. Vay—Petitions of Jane E. Bryan, F. M. Thrasher, and Jacob Johnson for permission to erect wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

By Ald. Wickens—Petition for a plank walk on Cayuga Place. Referred to the Improvement Committee.

By Ald. Edleman—Petition of Phillip T.

Klinger for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Weaver—Petition of Curtice Bros. in regard to water pipes.

Also the following resolution which was adopted:

Resolved, That the Executive Board be, and is hereby directed to lay a four inch water main in Livingston street, to a sufficient distance westerly from St. Paul street, to enable Curtice Bros. to connect a service thereto, the work to be done as soon as there are funds applicable to the payment for pipe extensions. dopted.

By Ald. Knobles—Petition for walks in Otis street. Referred to the Improvement Committee.

By Ald. Hart—Bills of

Spencer & Stalker, plumbers.....	\$60 83
S. A. Pierce, medical services.....	20 00
B. F. Enos, expenses Police Department, month of February.....	68 79

Referred to the Police Committee.

By Ald. Hart—

REPORT OF THE POLICE CLERK FOR THE MONTH OF FEBRUARY, 1880.

POLICE COMMISSIONERS' OFFICE,
March 9th, 1880.

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

GENTLEMEN:—I respectfully present the following as my report for the month of February, 1880:

February.	Crime.	Penalty.	Paid.
2—John Sullican	drunk	\$ 5	
Jennie Baker	vio. ord.	10	\$10
Henry Romge	..	10	10
S. T. Hanes	drunk	old fine	5
James Kane	..	10	10
Frank Toole	..	10	10
Nellie Lyon	..	10	
Mary Cummings	..	10	
Joseph Pedlow	..	10	5
3—Hannah Schwartz	vio. ord.	100	25
Kittie Sherman	..	25	15
Lizzie Brown	..	25	25
Mary Riley	drunk	5	2
John Cahilan	assault	10	
4—John McCormick	drunk	10	
5—Wm H Smith	..	10	4 75
Thos H Agin	..	10	5
Maggie Harvey	petit larceny	25	
Moses Benjamin	drunk	5	5
Ann Plunkett	..	10	
6—Nathaniel W Carrier	..	5	5
Matilda McCabe	vio. ord.	25	
7—John Chase	drunk	5	5
9—John Slocumb	..	10	
Levi Humphrey	cruelty to animals	cost	2
Joseph Hooper	drunk	5	
Cyrus Marsh	..	10	
Stephen Siegert	..	10	
Laura Kimbark	..	10	
Elizabeth Benedict	..	10	
John Brown	..	5	5
Aucusus Krappe	..	5	5
Libbie Blanchard	vio. ord.	25	15
Libbie Blanchard	drunk	10	
10—Joseph De Solmier	hotel fraud	cost	5
Edward Horton	drunk	5	
Rudolph Crombine	..	5	5
John H Starin	..	5	5
James McCulloch	..	5	
Ferdinan Wandersee	will. tres's.	25	
11—Della Clarke	drunk	10	10
John Slaven	..	10	10
James McGill	assault	5	5
12—Thos Ward	drunk	5	5
13—John Goodrich	..	5	
Thos Riley	..	5	
John Quinn	..	5	
Chas McCabe	..	5	2 50
Jeremiah Coffee	..	5	2 50
Philip Keley	assault	10	
14—Wm C Woodhouse	drunk	5	5
Geo Osborn	..	5	5
Mich Tierney	..	10	
16—John Davis	..	5	
Eliza Bushler	..	5	3
Wm Van Slyck	..	10	10
Allen Streeter	..	10	10

Frank Salter	..	5	5	
Mich Biemer	..	5	5	
John Kanelly	..	5	5	
17-Andrew York	..	10	10	
James C Hassey	..	10	10	
Wm Johnson	..	5		
18-Dan'l Donnelly	assault	10		
Wm Tully	drunk	5	5	
James C Hassey	..	5	5	
Andrew York	..	5		
Red Hart	vio. ord.	10		
Cath O'Connors	drunk	5		
19-Cath Murphy	..	5		
Henry E Quinn	..	10	5	
Wm Johnson	..	5		
20-Wm Baker	petit larceny	cost	3	
21-Ramond Spade	drunk	5		
James Renshaw	..	5		
John Carson	vio. ord.	5	5	
23-John Hicks	drunk	5		
Geo Frazier	..	5		
Jacob Rosecrantz	..	10		
James C. O'Br.en	..	5	5	
James Bra	..	5		
Thos Wallace	..	10	10	
Delia Clark	..	10		
24-Stilson D Curtiss	assault	25	25	
25-Mary Minott	drunk	5		
August Shorer	vio. ord.	250		
26-Julius Andrews	drunk	10		
Thos Mack	..	10		
Cnas Lee	vio. ord.	3	3	
27-Jame Thompson	drunk	10	5	
Eleour McCondless	..	5		
Timothy Connors	..	5		
Thos Fitzpatrick	..	5		
John Heneey	..	5	5	
Joseph Miller	assault	40		
28-Jacob Filman	drunk	10		
Joseph Buckley	..	5	5	
Eva Mayo	..	10		
Hattie Johnson	..	10		
Lotus Courter	..	10	10	
Fines by Commissioners	..		5	

State of New York, County of Monroe, City of Rochester--ss.

I, B. Frank Enos, Police Clerk of said city, being duly sworn, doth depose and say that the foregoing report contains a true and correct statement of all the moneys received by me as such Clerk during the month of February, 1880, for fines, penalties and costs imposed by the Police Justice or Police Commissioners of said city.

B. FRANK ENOS, Police Clerk.
Sworn to before me this 9th day of March, 1880.
MARCUS HIRSHFIELD, Notary Public
Monroe County, N. Y.

Ordered received, filed and published.

By Ald. Hart—

REPORT OF POLICE CLERK FOR THE MONTH OF JANUARY, 1881.

POLICE COMMISSIONERS' OFFICE, Feb. 10, 1880.

To the Honorable the Common Council of the City of Rochester.

GENTLEMEN—I respectfully present the following as my Report for the month of January, 1880:

January.	Crime.	Penalty.	Paid.
2-Ellen Terry	Vio. Ord.	\$25	
Ida McFarlin	..	25	
Augustus W. Houghton	false pre.	Cost	10
Margaret Cline	..	old fine	5
3-William Holden	drunk	10	5
Hugh McMahon	..	5	5
Isadore Privotel	vio. ord.	50	
Lucy Ghaul	..	50	
Geo Johnson	drunk	10	10
Hrshn Brittenstool	assault	25	30
5-Thomas Bliss	drunk	10	
-Henry Butler	..	10	5
Michael Plunkett	assault	10	
Mary King	vio. ord.	25	
Wm Kelly	..	25	
Chas H Lane	assault	10	10
Fred Presley	petit larceny	30	
6-James Clancey	drunk	5	
James Smith	..	5	
Geo Lee	assault	5	5
Sarah Timmerman	drunk	5	
John Cotter	..	5	
Frank Werth	..	5	5
7-James Doyle	..	10	
Kate Brown	..	10	
8-Mich. Funnell	..	10	5
Maurice Connors	..	10	
John Rozicky	assault	10	
9-James O'Connors	drunk	5	3
Catharine O'Connor	..	5	
Geo Coxon	assault	3	3
13-Alden D Waterson	drunk	10	

Butterfield Lace	..	10	10	
Frank Aralto	assault	5	5	
Joseph Aarath	..	5	5	
13-Libbie Pellett	drunk	25		
Libbie Pellett	vio. ord.	10		
Alfred Saibert	drunk	10	5	
John Patterson	..	10		
Wm H Danford	assault	25		
Peter Gummer	..	10	10	
Robt Lavis	drunk	5	6	
Joseph Crooker	petit larceny	25		
14-Edward Bushler	drunk	10		
Jacob Klein	assault	25	25	
Mathew Murphy	..	25	25	
Pat'k Johnson	drunk	5		
John Brayerton	vio. ord.	10	2 50	
Roger Brayerton	..	10	2 50	
Thos Brennan	..	10	1 85	
Jane Patterson	petit larceny	50		
15-Louis Schl'ss	hotel fraud	cost	3	
Jeremiah Twer	assault	25	15	
Geo Webb	petit larceny	25		
Rob't Morphy	drunk	5	5	
16-Jas Haley	assault	10	5	
John Decker	..	cost	2 50	
Chaudcey Soule	..	cost	2 50	
17-Wm Demming	drunk	5	2 50	
John Wheeler	..	5		
19-John Livingston	..	10		
Margaret Reardon	..	10		
Lizzie Salsbury	vio. ord.	5	5	
John Post	drunk	10	10	
Thos McNamara	..	10		
Fred Park	..	5	5	
Richard Grady	..	10	10	
20-Wm Boyle	..	10	4	
Joseph C. Turner	..	5		
Simon C. Curtice	trespass	5		
Mich'l Cummings, Jr.	vio. ord.	10	5	
21-Minnie Daily	..	25	10	
John Keefe	drunk	10		
Minnie Kelly	..	10		
Naggie O'Connors	..	10		
Jos. O'Connors	..	10		
Hannah Schwartz	old fine	5	5	
John Graham	vio. ord.	5		
22-Fred Hall	drunk	5	5	
Rachel Swift	vio. ord.	10	10	
John A. Rowe	..	10	19	
23-Michael Harrington	drunk	5		
Dan'l Leary	..	10	10	
Stephen Clifford	..	10	5	
24-David Brennan	..	5	3 50	
Thos. Casey	petit larceny	25		
Robt. Montgomery	drunk	10		
Josiah Anstice	vio. ord.	3	5	
26-Ellen Ferge	petit larceny	5		
Joseph Connor	drunk	5	5	
Nettie Smart	..	5		
Mary Clark	..	5		
Wm. Kinney	..	5	5	
James Wedick	..	5	5	
Chas. K. Lester	vio. ord.	5	5	
27-Robt. Richards	drunk	5		
Mich. Noolan	..	10		
Cath. Barry	..	10	5	
John Cooper	..	10	5	
Geo. Cooper	..	10	5	
Mich. Mulligan	..	10		
28-Joseph Gilligan	..	5		
Robt. Farewell	..	10		
Thos. Kavanaugh	..	5	5	
Mary Davis	..	5		
Eva Mayo	..	5		
Kate Leonard	assault	10	9	
Frances Rehnour	petit larceny	25		
29-Wm. Kelly	drunk	3	5	
John Kinn	..	5		
Frank Fosbinder	..	5		
Fines by Commissioners	..		15	

State of New York, County of Monroe, City of Rochester--ss.

I, B. Frank Enos, Police Clerk of said city, being duly sworn doth depose and say that the foregoing report contains a true and correct statement of all the moneys received by me as such Clerk during the month of January, 1880, for fines, penalties and costs imposed by the Police Justice or Police Commissioners of said city.

B. FRANK ENOS, Police Clerk.
Sworn to before me this 9th day of March, 1879.
MARCUS HIRSCHFIELD,
Notary Public, Monroe Co., N. Y.

Ordered received, filed and published.

REPORTS OF STANDING COMMITTEES.

Ald. Hart, from the Police Committee ; Ald. Mandeville, from the City Property Committee ; Ald. Tracy, from the Lamp Committee ; Ald. Crouch, from the Poor Committee ; Ald.

Chambers, from the Contingent Expense Committee; reported in favor of the bills reported by them, and referred them to the Finance Committee for payment.

FINANCE BUDGET.

ROCHESTER, N. Y., March 9, 1880.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable.

CONTINGENT FUND.

MONTHLY PAY ROLL FOR FEBRUARY, 1880.

Cornelius R. Parsons, Mayor.....	\$166 66
Geo. D. Williams, City Treasurer.....	283 33
Albert G. Wheeler, City Attorney.....	150 00
Oscar H. Peacock, City Surveyor.....	150 00
Edward Angevine, City Clerk.....	137 50
David McKay, City Assessor.....	150 00
August M. Koeth,	150 00
Wm. Mahar,	150 00
Geo. W. Sill, Judge Municipal Court.....	150 00
J. W. Wall,	150 67
M. H. McMath, Clerk	50 00
Francis J. Irwin, City Messenger.....	66 67
John O'Leary, Watchman City Hall.....	55 00
Wm. Connors, Engineer City Hall.....	55 00
Wm. Waldert, Janitor Front Street Building.....	37 50
W. C. Gray, Assistant Surveyor's Office.....	60 00
C. E. Parsons, Draughtsman	60 00
W. J. Stewart, Chairman	40 00
Ambrose Redman, Rodman	30 00
Peter Sheridan, Assistant in Clerk's Office.....	58 34
E. W. Williams,	116 66
Warham Whitney, services in Rey. Oberholzer, for bells for Holy Re- deemer Church.....	62 56
And charge that fund.....	200 00

POOR DEPARTMENT FUND.

MONTHLY PAY ROLL TO MARCH 1ST, 1880.

Joseph Schutte, Overseer.....	\$116 63
John E. McDermott, Assistant Overseer.....	50 00
John T. Tracy, Bookkeeper.....	66 67
Jacob Lutt, clerk	40 00
Fred. Guac, cle. k poor store.....	20 00
Dr. Thomas A. O'Hare, City Physician.....	41 67
Dr. Charles E. McKelvey,	41 67
Dr. Julius J. Schmitt.....	41 67
Dr. Rockwell.....	41 67
Dr. J. J. A. Burke.....	41 67
Dr. Louis Weigel.....	41 67
Vincent M. Smith, Ex. Com. sal. mo. Feb.....	41 67
Porter W. Taylor,	41 67
Chas. F. Wolters,	41 67
Paris G. Clark,	41 67

MISCELLANEOUS.

P. H. Schaad, meat	\$50 00
W. & J. M. Aikenhead, candles	25 90
Schofield & Darling, transportation	20 60
Adam Zimmer, meat	125 00
E. McSweeney, coal at Excise Rooms.....	4 75
And charge that fund.....	

CITY PROPERTY FUND.

Rochester Gas Co., gas in city building.....	\$122 60
Robins, Willis & Co., cord wood.....	4 50
And charge that fund.....	

LAMP DEPARTMENT FUND.

Citizens' Gas Co., setting posts.....	\$146 45
..... rearranging lamps.....	189 17
National Gas Light Co., lighting and care of lamps.....	566 67
National Gas Light Co., lighting and care of lamps.....	34 00
Wm. Connors, repairing lamps.....	42 40
Rochester Gas Co., lighting and care of lamps for month of February.....	2,025 88
Rochester Gas Co., miscellaneous work.....	53 78
Citizens' Gas Co., lighting and care of lamps for month of February.....	2,498 88
And charge that fund.....	

HEALTH DEPARTMENT FUND.

MONTHLY PAY ROLL FOR MONTH OF FEB. 1880.

Sam'l Donnelly, Supt. Board Health, salary..	60 00
Chas. Buckley, M. D., Health Officer.....	41 67
E. Angevine, Clerk.....	25 00
F. J. Irwin, messenger, 1 quarter to Ap.....	50 00
Henry M. Heindol, Keeper of Hope Hospital..	50 00
John H. Mason, Insp'r.....	50 00
Joseph Thompson, Insp'r.....	50 00
John Christie, Insp'r.....	50 00
Orrin Harris, Insp'r.....	50 00
John O'Rourke, sewer flusher.....	45 00
John Vance, sewer flusher.....	45 00
C. A. Jeffords, garbage contract to Mar. 1, 1880.	45 00
E. S.....	125 00
Bradley & Co., garbage contractor to Mar. 1, 1880, W. S.....	150 00

Eagle Oederless Ex. Co., removing dead animals	37 20
And charge that fund.....	

POLICE DEPARTMENT FUND.

Geo. Truesdale, salary mo. Feb.....	166 66
Alex. McLean, expenses for Jan.....	53 76
And charge that fund.....	

POLICE PAY ROLL FOR JANUARY, 1880.

Alex. McLean.....	\$130 00
Samuel Brown.....	75 00
Peter Hughes.....	75 00
W. J. Rogers.....	75 00
Thos. Lynch.....	75 00
Peter Laufer, Jr.....	75 00
P. C. Kavanagh.....	75 00
Ferry Marzuff.....	75 00
Thos. A. Burchell.....	75 00
Caleb Pierce.....	75 00
Henry Baker.....	75 00
Jos. P. Cleary.....	75 00
Frank B. Allen.....	65 00
W. R. M. Arthur.....	65 00
John Garrett.....	65 00
Jacob Frank.....	65 00
John C. Haydon, 28 days.....	61 78
John Wanganam.....	65 00
Hugh Johnston.....	65 00
Hugh Clark.....	65 00
John H. Dana.....	65 00
Ed. Van Vorst.....	65 00
John C. M'Quatters.....	65 00
Wm. H. White.....	65 00
Thos. Dukelow.....	65 00
Patrick H. Sullivan.....	102 00
Chas. M' Cormick.....	75 00
Jos. S. Rowth.....	65 00
Wm. F. Lush, 28 days.....	60 76
Barth. Crowley.....	65 00
Robt. Burns.....	65 00
Ralph Bendon.....	65 00
Jacob Harter.....	65 76
Thos. Crouch, 29 days.....	63 98
Andrew Connolly, 16 days.....	34 72
Wm. P. O'Neil.....	65 00
Benj. C. Further.....	65 00
Wm. H. Keith.....	65 00
John H. Wordell, 27 days.....	58 59
B. Horcheier.....	65 00
John Mitchell.....	65 00
Robt. M'Ke.....	65 00
Chas. E. Fowier.....	65 00
Michael Brady.....	65 00
Wm. M'Kelvy.....	65 00
Joseph Legier, 27 days.....	58 59
Wm. H. DeWitt.....	65 00
Nicholas J. Loos.....	65 00
Fred. Griebel.....	65 00
Robert Sloan.....	65 00
Samuel Schwartz.....	65 00
Ja.....	65 00
Patk. Hector.....	65 00
George Smita.....	65 00
Lewis Jessor.....	65 00
Frank Vahue, 14 days.....	30 38
Michael Cain.....	65 00
Wm. H. Burgess.....	65 00
Michael Hynes.....	65 00
Chas. Bar.....	65 00
Frank D. Fay, 28 days.....	49 91
Geo. Hoffner.....	65 00
James P. Flynn.....	65 00
John Monaghan.....	65 00
John P. Davis.....	65 00
Henry D. Shove, 22 days.....	47 74
Michael Wolf, Jr. 27 days.....	58 59
John M. Reis.....	65 00
Charles W. Pearl.....	65 00
Wm. Laragy.....	65 00
Louis No'dt.....	65 00
Jerry Twaig.....	65 00
Ed. McDonough.....	65 00
Older Driver.....	65 00
John Dean.....	65 00
Jos. St. Hellens.....	65 00
Peter Hess.....	65 00
Daniel Goulding, Jr.....	65 00
Patrick Holoran, 28 days.....	60 76
Henry Graven, 28 days.....	60 76
Chas. Guffey.....	65 00
Frank Skuse, 28 days.....	56 42
Oliver A. Youle.....	65 00
Mich. Hyland.....	65 00
Jacob Markey.....	60 00
Andy Connolly, 14 days lost in June.....	30 38
B. Frank Enos, Clerk of Commissioners.....	116 97

Examined and approved

C. R. PARSONS,
FRED'K ZIMMER,
JACOB HOWE, JR.,
Commissioner.

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER. }
 ROCHESTER, March 3, 1880. }

To the Common Council:

The annexed accounts have been duly examined, audited and settled by the Executive Board, and are by resolution of said Board hereby certified to the Common Council for payment, under the provisions of Section 148 of the City Charter. Respectfully,
 THOS. J. NEVILLE, Clerk.

FINANCE BUDGET.

Water Works Department.

Thomas J. Neville, office disbursements	\$9 85	
Steele & Avery, office stationery	3 90	
John P. Smith, printing	32 50	
Thos. J. Neville, postage stamps for water works bills	50 00	
J. B. Colman, machinery repairs	7 25	
S. B. Stuart, coal for pump house	60 80	
Goodale & Stiles, mdse.	4 42	
Samuel Moulson, 1 bbl. soft soap	3 00	
		\$176 72

And charge Water Works fund.

Fire Department.

Louis Ernst, hammer	\$0 70	
Thos. J. Neville, office disbursements	1 25	
Geo. P. Bortle, painting	36 25	
Law S. Gibson, washing	15 75	
Rochester Gas Light Co., gas at stations	28 25	
Sargent & Greenleaf, kong.	2 75	
A. D. Glover, painting	34 25	
Isaac Cox, oats	24 20	
Louis W. Wehn, hay and straw	25 57	
R. & W. Williamson, labor and material	25 24	
Geo. W. Aldridge, labor and material	200 00	394 20

And charge Fire Department fund.

Highway Fund.

Michael Klimm, hand-cart	\$15 10	
F. C. Lauer, paving stone, &c.	58 25	
David Clancy, McAdam stone	12 41	
A. H. Kasseall, stabling horse	20 00	
		105 66

And charge Highway Fund.

Salary and Expense.

View of Rochester, for office	\$ 4 00
And charge Salary and Expense fund.	

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, March 9, 1880.

To the Hon. The Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds on the 9th day of March, 1880, as required by section 59 of the City Charter.

Credit Balances.

Poor Department Fund	\$12,481 51
Police Department Fund	3,053 96
Contingent Fund	15,767 01
Lamp Fund	6,054 42
Health Fund	306 88
City Property Fund	1,649 20
Home for Truants Fund	9 10
Park Fund	108 11
Search Department Fund	966 15

GEO. D. WILLIAMS, Treasurer.

Subscribed and sworn to before me this 9th day of March, 1880.

PETER SHERIDAN,
 Commissioner of Deeds.

Ald. Edelman moved that the sum of \$200 voted at a previous meeting for bells in the Holy Redeemer church be placed in the Finance Budget and that the Clerk draw the order in favor of Rev. Mr. Oberholzer and charge contingent fund. Adopted by the following vote:

Ayes—Ald. Crouch, Chambers, Chace, Mandeville, Vay, Edelman, Knobles, Hart—8.

Nays—FitzSimons, Westbury, Otis, Warren, Hebing, Wickens, Weaver—7.

The Finance Budget was then adopted by the following vote:

Ayes—Ald. FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

By Ald. Hebing—

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

Your Law Committee to whom was referred the claim of James E. Hayden for damages al-

leged to have been sustained by him caused by the construction of an earth embankment or approach to the canal bridge in Averill street in this city on the west side of the Erie Canal would report: That the Committee made a personal inspection of the premises in question and are unanimous in their opinion that whatever damages the petitioner may have or will hereafter sustain by the erection of said embankment they are of such a slight and insignificant character the Committee feel constrained to report adversely to granting the prayer of the petition. He at first claimed he should be allowed \$1,000 for such alleged damages, but finally concluded to accept \$500 in full therefor. The Committee are of the opinion that the benefits to his property by the construction of said bridge and embankment are far greater than any injury he has or can by any possibility hereafter sustain. We therefore report adversely to granting the prayer of the petitioner. All of which is respectfully submitted.

HENRY HEBING,
 LEWIS EDELMAN,
 D. H. WESTBURY,
 Committee.

Dated February 24th, 1880.

Ald. Otis moved that it lie on the table. Lost.

Ayes—Ald. FitzSimons, Otis, Mandeville, Vay, Wickens, Weaver, Knobles—7.

Nays—Ald. Westbury, Warren, Hebing, Crouch, Chambers, Chace, Edelman, Hart—8. The report was then adopted.

By Ald. Hebing—

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

Your Law Committee would report that there is an action now pending in the Monroe County Court between James K. Burlingame, plaintiff, against the City of Rochester, in which the plaintiff claims to recover \$500 damages, besides costs, for alleged injuries to his horse and buggy.

The plaintiff was the owner of the horse and buggy which Thomas Raines was driving and using at the time he and his mother were injured in consequence of the horse being frightened at a street roller belonging to the city, which caused him to run away, throwing them out and injuring them severely; also demolishing the buggy and injuring the horse to a considerable extent. The trial of this cause has been held in abeyance by agreement of counsel for the respective parties, in order that the liability of the city might be decided and settled in the actions brought in the Supreme Court by Mr. and Mrs. Raines severally against the city to recover damages for their alleged injuries. Those actions have been tried, and in each case resulted in a verdict against the city. The plaintiff, before the above-mentioned causes were tried, agreed with the City Attorney that if the city would settle and pay his claim he would take therefor \$100 besides the costs of the action, which amount, he claimed, he actually expended in repairing his buggy and harness. While he is not now desirous of compromising and settling said claim on that basis, yet having agreed to settle upon those terms, he does not now feel at liberty to decline the offer.

The Committee are of the opinion that it is for the best interests of the city to settle the

claim upon the terms proposed, and, therefore, offer the following resolution for action.

Resolved, That the Clerk draw the usual order on the Treasurer, payable to the order of James K. Burlingame for \$100 damages, and for such further amount for costs as the Clerk of Monroe County shall tax and certify to be correct in the suit now pending in the Monroe County Court between the said Burlingame and the City of Rochester, upon his discontinuing said action and executing a proper release to the city of his claim in said action mentioned, to be approved by the City Attorney, and that the amount thereof be charged to the Contingent Fund.

All of which is respectfully submitted.
Dated March 9th, 1880.

HENRY H. HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee,

Adopted by the following vote:
Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

To the Common Council:

GENTLEMEN: Your Assessment Committee report the following resolutions and recommend their adoption:

Resolved, That the Treasurer receive from Mary E. Hutchinson \$9.76 and the expenses of sale, with interest at 7 per cent., the amount of tax assessed on lot formerly owned by Caroline Perkins, which was assessed in 1865, and charge erroneous assessment. Adopted.

Resolved, That the Treasurer receive from C. K. Babbitt the original amount of tax assessed upon his lots 128 and 129, Babbitt tract, 1861, with 7 per cent. interest from time of sale. Adopted.

By Ald. Warren—Resolved, That the Treasurer be and is hereby authorized to receive of Catherine E. Matthews 40 per cent. of her assessment for Plymouth avenue improvement and 7 per cent. interest from date of sale. Adopted.

By Ald. Warren—Resolved, That the Treasurer be and is hereby authorized to receive of W. G. Butler the amount of his taxes with 7 per cent. interest from the date of sale. Adopted.

Ald. Warren moved to reconsider the resolution adopted at the last meeting in regard to the cancellation of tax on property of Mrs. C. E. Matthews. Adopted, and the motion was then indefinitely postponed.

By Ald. Vay—Resolved, That P. Knapp and the Trustees of the Dutch Reformed Church have permission to erect wood buildings in accordance with their several petitions, under the direction of the Wood Building Committee and Fire Marshal. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER EXECUTIVE OFFICERS.

OFFICE OF WATER WORKS AND FIRE BOARD,
OF THE CITY OF ROCHESTER,
ROCHESTER, Feb. 19, 1880.

To the Common Council of the City of Rochester:

I herewith transmit to your Honorable Body a statement showing the expenditures of the Water Works and Fire Board, and the condition of the several funds which it had in charge

on February 19th, at which date said Board was consolidated with the Executive Board by an amendment to the City Charter. Accompanying this statement is a detailed report of the disbursements of said Board during the period embraced between the 1st and 19th of February.

All of which is respectfully submitted.
V. FLECKENSTEIN, Clerk.

CITY OF ROCHESTER,
WATER WORKS AND FIRE BOARD,
OFFICE CITY HALL, Feb. 19, 1880.

STATEMENT
Showing expenditures by the Water Works and Fire Board in the month of February to this date and of the condition of the several Funds in the charge of this Board at this date and prior to closing the books of this Board by transfer to the books of the Executive Board.

	EXPENDITURES.	
Water Works Fund.....	\$580 53	
Water Pipe Fund.....	71 26	
Fire Department Fund.....	265 15	
Amount of orders credited to City Treasurer.....		\$866 94
		\$866 94

BALANCE SHEET—CONDITION OF FUNDS.

Credit Balance.....	\$15,915 69
Water Works Fund.....	89 18
Fire Department Fund.....	14,302 08
Water Works Fund Special.....	1,515 47
Debit Balance.....	
City Treasurer.....	\$31,822 37

These accounts are this day transferred to the books of the Executive Board as consolidated by law.

V. FLECKENSTEIN, Clerk.
OFFICE OF WATER WORKS AND FIRE BOARD,
February 19, 1880.

DETAILED STATEMENT of expenditures for the period ending February 19, 1880.

Water Works Fund.

Feb 6—Town of Brighton, taxes on property owned by city of Rochester.....	\$ 18 26	
Otis & Gorsline, pipe.....	63	
John Siddons, water gauges.....	10 00	
S. B. Stuart & Co., coal.....	53 20	
Bausch & Dransfield, telephone cords.....	1 00	
Weekly pay roll, service and repairs.....	134 00	
P. Burke & Co., castings.....	170 53	
Geo. B. Harris, services in office	9 59	
Office disbursements.....	6 45	
Feb. 13—Pay roll, service and repairs.....	\$107 13	
Geo. B. Harris, services in office	9 59	
Union Water Meter Co., repairs	2 65	
Frank McKenna, labor.....	7 50	
		\$408 66

Water Pipe Fund.

Feb. 6—P. Burke, castings.....	71 26
--------------------------------	-------

Fire Department Fund.

Feb. 6.		
Sargent & Greenleaf, plating.....	\$ 8 00	
A. Drinkwater, V. S. Services.....	25 50	
Woodbury, Morse & Co., lumber.....	3 36	
L. S. Gibson, bills for washing.....	13 65	
Geo. B. Page & Son, blankets.....	5 00	
S. M. Stewart, labor and material.....	43 78	
J. L. Otto, hay and straw.....	18 02	
Rochester Gas Light Co, gas at stations	29 00	
Water Works Fund, repairs to telegraph office.....	4 50	
Thos. Guinan, oats.....	23 72	
L. S. Gibson, hay.....	38 68	
Bausch & Dransfield, drilling glass.....	50	
Office disbursements.....	6 65	
		221 56

Feb. 13.		
Kelly Lamp Works, repairs.....	\$ 5 50	
Sherlock & Sloan, pipe.....	72	
Thos. Brooks, harness repairs.....	7 60	
Upton's Livery, horse & buggy (Blackall).....	1 50	
Moses C. Crane, spiral springs.....	85	
D. H. Prest, oats.....	27 42	

OPERATING EXPENSES—PAY ROLL FOR THE HALF MONTH, ENDING FEBRUARY 13, 1880.

S. C. McKay	\$ 45 00
Henry C. Smith	37 50
P. J. Healy	22 50
P. J. McCracken	22 50
J. McMahon	22 00
D. S. Almstead	25 00
C. W. Almstead	20 00
Alexander Gray	20 00
T. M. Blossom	20 00
R. Crennell	30 00
S. H. Oviatt	30 00
	\$294 50

SERVICE AND REPAIRS.

PAY ROLLS FOR WEEKS ENDING FEB. 5 AND 13.

P Fleming	\$24 00
E A Maher	21 00
John King	21 00
Frank Curran	21 00
L Lidster	21 00
H Weber	21 00
Wm McCarthy	9 00
Warren Ware	9 00
Frank McKenna	7 50
J Gallagher	16 25
P McKanna	16 88
Peter Leek	15 00
Aug Bubert	7 00
H. Bubert	2 00
Jos. Loveland	1 00
L. Cassidy	2 50
John Barry	3 00
Sam Diem	2 00
A. Conway	2 00
Dennis Kelly	3 00
L. M. Mandeville	19 00
Gus. Bubert	3 00
	\$ 241 13

By the Clerk—

EXECUTIVE BOARD CITY OF ROCHESTER. }
ROCHESTER, N. Y., March 1, 1880. }

To the Common Council:

I have the honor to transmit herewith :
1. A statement showing the expenditures of the Executive Board for all purposes during the month of February, 1880, including expenditures in the Water Works and Fire Departments subsequent to the consolidation of the two previously existing Boards on the 19th day of Feb., 1880, accompanied by condensed summaries of weekly finance budgets and pay rolls.
2. A balance sheet showing the condition of the several funds now in the charge of the Executive Board on the 28th of February ult., all of which please receive as official.

Respectfully your obedient servant,
THOS. J. NEVILLE,
Clerk of Executive Board.

EXECUTIVE BOARD OF THE CITY OF ROCHESTER. }
OFFICE CITY HALL, Rochester, Feb. 28, 1880. }

STATEMENT of expenditures by the Executive Board for all purposes during the month of February, 1880, accompanied by condensed statements of finance budgets and summary of weekly pay rolls.

Total amount of the Executive Board orders drawn upon the City Treasurer during the month..... \$6,868 74

Funds Debited.	
Highway Fund—Audited by Ex. B'rd.	\$1,773 57
Audited by C'm C'l.	125 00
	\$1,898 57
Sidewalk Repair Fund.....	19 92
Salary and Expense Fund—Audited by Common Council	333 34
Subsequent to consolidation of Boards :	
Water Works Board—Audited by Ex. B	\$1,552 84
Audited by C. Council.....	116 68
	\$1,669 52
Water Pipe Fund—Audited by Common Council.....	55 24
Fire Department Fund—Audited by Common Council.....	2,892 15
	\$6,863 74

MONTHLY BALANCE SHEET.

STATEMENT showing the condition of the several funds in the charge of the Executive Board on the 28th day of February, 1880.

Debit Balances:	
City Treasurer.....	\$48,999 76
Sidewalk Repair Fund.....	2,892 03
Upton Park Flag Walk Fund.....	999 00
Cr. Balances :	
Highway Fund.....	16,016 02

Macadam Stone Fund.....	1,333 81
Salary and Expense Fund.....	2,507 67
Water Works Fund.....	14,725 00
Water Pipe Fund.....	33 94
Fire Department Fund.....	11,409 88
Water Works Special Fund.....	1,515 47
	\$47,541 79 47,541 79

EXECUTIVE BOARD OF THE CITY OF ROCHESTER. }
Office, City Hall, February 28, 1880. }

Summary of payments in the month of February, 1880, as per Finance Budgets.

HIGHWAY FUND.

F. P. Kavanagh, clerk, brk'g McAdam	\$ 122 06
Otis & Gorsline, sewer pipe.....	1 00
D. Copeland, Jr.....	20 00
A. H. Kasseall, stabling horse.....	7 35
Rochester Lime Co., water lime.....	
J. W. McKindley & Son, nails & hardware.....	12 60
Chase & Otis, lumber.....	4 28
Chace & Myers.....	11 57
Clancy & Fuller, stone for McAdam.....	183 33
Plumbago Oil Co., oil for bridge.....	3 00
J. Streinhaus, repairing tools.....	14 53
W. H. Gorsline, rent of dumping gr'd.....	125 00
Geo. B. Harris, services.....	30 68
Weekly pay rolls, 4 payments.....	1,363 46
Total.....	\$1,898 57

SIDEWALK REPAIR FUND.

Chase & Myers, lumber.....	\$ 2 57
J. W. McKindley & Son, nails.....	3 85
James H. Moore, labor, 4 days.....	6 00
J. P. Clark, .. 1 ..	1 50
P. Reeder, .. 1 ..	1 50
A. C. Burrough, .. 3 ..	4 50
Total.....	\$ 19 92

SALARY AND EXPENSE FUND.

F. P. Kavanagh, salary, 1 month.....	\$ 166 67
F. C. Lauer, .. 1 ..	166 57
Total.....	333 34

WATER WORKS FUND.

Weekly pay rolls for labor.....	\$ 233 18
Monthly Office disbursements.....	1,514 66
H. T. King, ice for office.....	6 38
H. T. King, ice for office.....	13 00
A. H. Kasseall, stabling 2 horses.....	41 50
Ludlow Valve Co., trinkets.....	55 80
Total.....	\$1,669 52

WATER PIPE FUND.

J. Casey, estimate.....	\$55 24
-------------------------	---------

FIRE DEPARTMENT FUND.

Geo. W. Aldridge, estimate on acct of work at stations.....	\$ 300 00
Monthly pay roll, salaries and pay of department.....	2,255 88
Office disbursements for fire alarm telegraph.....	3 50
V. Fleckensheim, salary for February.....	166 66
C. C. Woodward,	166 66
Total.....	\$2,892 15

Total payments for all purposes... \$6,868 74

EXECUTIVE BOARD—STREET DEPARTMENT.

Summary of weekly pay rolls paid and charged to account of Highway Fund in the month of February, 1880, and embracing the time from January 29th to February 26th, inclusive:

Names.	Kind of service.	Time.	Days.	Rate.	Amt.
Ames, John	laborer.....	1	1 00	1 00	
Ansel, August	1	..	..	1 00
Andres, John	1½	..	..	1 50
Ames, Frederick	1	..	..	1 00
Albright, Charles	1	..	..	1 00
Anthony, John	2½	..	..	2 50
Barroughs, A. C., foreman.....	4	1 50	6 00		
Burbot, August laborer.....	5	1 00	5 00		
Brown, Jacob	4¾	..	..	4 75
Boze, Patrick	1	..	..	1 00
Boylan, Patrick	9	..	..	9 00
Boylan, Hugh	2	..	..	2 00
Boyie, Patrick	15¾	..	..	15 50
Bushnag, Chas	7¼	..	..	7 25
Bushnag, Henry	5	..	..	5 75
Bleck, Martin	2¾	..	..	2 00
Beum, Peter	1	..	..	1 00
Burke, Dennis	1	..	..	1 00

Butler, James	3	3 00	Hickey, John	2	2 00
Bergan, J. F.	3½	3 75	Haag, John	2	2 00
Bergan, Ferdinand	1	1 00	Hemp, Henry	1	1 00
Burbott, George	4	4 00	Hart, William	1	1 00
Breitenberger, A	1	1 00	Hastings, Patrick	5	5 00
Bath, Henry	1	1 00	Hyde, Patrick	1½	1 50
Brinsmaid, Henry	1	1 00	Jennings, James	1	1 00
Barth, Charles	2	2 00	Kase, John B carpenter	2	3 00
Bruce, Robert	1	1 00	Kase, John B laborer	7½	8 50
Buckley, Thomas	7¾	7 75	Keller, Andrew	8½	7 50
Bohner, John	2	2 00	Kavanagh, John	10½	10 50
Battels, Frederick	2	2 00	Kilpeck, Martin	17¼	17 25
Barry, William	1	1 00	Kelly, John	1	1 00
Burbott, Henry	4	4 00	Kilpeck, Bartholm'w	1	1 00
Barker, John	½	50	Kleinhammer, Phil.	1	1 00
Burke, John	½	50	Kraemer, Eugene	1	1 00
Creegan, John foreman	13	1 50	Kennedy, John	1	1 00
Clark, James P	19 50	19 50	Kirby, Robert	1	1 00
Connell, Timothy laborer	1	1 00	Kearns, John	6½	6 50
Culligan, John	2	2 00	Kulfrman, Joseph	1	1 00
Cusick, Thomas	2½	2 50	Keller, Adam	1	1 00
Corrigan, Jeremiah	2	2 00	Kanole, Thomas	1	1 00
Caspar, Louis	2	2 00	Kuehn, John	3¾	3 75
Caspar, Charles	2	2 00	Knobe, John	1	1 00
Cox, James	4½	4 50	Lawrence, William	7¾	7 75
Coar, Peter	1	1 00	Lavis, John	5½	5 00
Cleary, Michael	3	3 00	Loveland, Joseph	1	1 00
Coffee, James	2	2 00	Laabs, Henry	3½	3 50
Curbitz, Frederick	2	2 00	Lorenzo, August	1½	1 50
Clark, John	1	1 00	Love, Michael	1½	1 50
Curbitz, John	1	1 00	Love, Richard	1½	1 00
Connors, Dennis	1	1 00	Lawrence, James	1	1 00
Camera, John	1	1 00	Lampert, Henry	6½	6 50
Coffee, John	1	1 00	Lockwood, Charles	1	1 00
Cahill, Daniel	2½	2 50	Lavis, Richard	1	1 00
Casper, Frederick	2½	2 50	Lavis, Richard	8	8 00
Caverish, Joseph	3	3 00	McMahon, Patrick	1	1 00
Collins, John	1	1 00	McMahon, Patrick	3	3 00
Curtis, William	1¾	1 75	McVay, Patrick	1	1 00
Connors, Lawrence	3	3 00	McCormick, John	1	1 00
Colds, James	2	2 00	McCaffrey, James	1	1 00
Clancy, James	2	2 00	McGrady, Owen	3	3 00
Carrihan, James	1	1 00	McMerney, John	5	5 00
Connors, Jeremiah	6½	5 50	McKena, Thomas	4	4 00
Davis, William P. foreman	1	1 50	McMichael, John	1	1 00
Donovan, David laborer	3½	3 50	McCarthy, William	1	1 00
Daly, James	4	4 00	McFarlin, Pete	3	3 00
Dietrich, Andrew	4¾	4 50	McGowan, John	1	1 00
Daly, John	3	3 00	McCarthy, Daniel	1	1 00
Dougherty, Martin	2	2 00	McGovern, Hugh	1	1 00
Devereaux, John	4	4 00	McDonald, Andrew	4¾	4 75
Donovan Thomas	1	1 00	McCusker, Michael	2	2 00
Darmon, Henry	6	6 00	McCarthy, Patric	1	1 00
Eonsbach Anthony	1½	1 50	McCusker, Thomas	1	1 00
Donnelly Daniel	7½	6 50	McLaughlin, Daniel	1	1 00
Dunn Edward	1	1 00	Mulqueen, Mich	2½	2 50
Emperor, John	2	2 00	Maloney, Patrick	2	2 00
Eisenhauser, John	3	3 00	Mahoney, Michael	1	1 00
Englert John	1	1 00	Muldowney, Wm	2	2 00
Elliott John	1	1 00	Minster, Theodore	1	1 00
Freidel, Joseph foreman	24	2 00	Murphy, Patrick	1	1 00
Farber, Geo J	24	48 00	Marney, Patrick	1	1 00
Farley, James laborer	13½	1 50	Murray, Patrick	1½	1 50
Farley, Edward	1½	2 75	Meyer, Ferdinand	1	1 00
Frankenberger, J	5	5 00	Moore, Samuel	4	4 00
Feeney, Michael	3	3 00	Moore, James H foreman	16	24 00
Feeney, John	3½	5 00	Newcomb, Pat'k lab'er	5	5 00
Flanagan, Patrick	3¾	3 75	Nolan Jas	2½	2 50
Fitzbowen, John	1	1 00	Nolan, John	¾	75
Fitzgerald, Michael	1	1 00	Newman, Wm	1	1 00
Fries, Frederick	1	1 00	O'Geilly, John foreman	1	1 50
Fields, Patrick	1½	1 50	O'Brien, Terence laborer	5½	5 50
Frischolz, Thomas	1	1 00	O'Brien, Wm	1	1 00
Feeney Andrew	2½	2 50	O'Brien, Jas	2½	2 50
Geib, John	24	24 00	O'Brien, Michael	2	2 00
Geib, Jacob	11	11 00	O'Kane, Daniel	1	1 00
Gallagher, Dominick	5½	5 50	O'Hara, Patrick	1	1 00
Gay, Charles	1	1 00	O'Brien, Patrick	3	3 00
Graeb, Adam	6¾	6 25	O'Reilly, John	2	2 00
Geason, William	1	1 00	Ott, Conrad	9½	9 50
Geyer, Frederick	1	1 00	Oster, Jacob	1	1 00
Grevet, William	1	1 00	Parks, Henry foreman	12	18 00
Green, Charles	1	1 00	Pune, John, laborer	52	59 00
Gosnell, James	1	1 00	Paislo, John	2	2 00
Haraty, Joseph	5½	5 50	Pierce, John	5	5 00
Harrington, Dantel	2	2 00	Pitzgl, Charles	3	3 00
Hennessey, Patrick	5	5 00	Plater, Elias	3½	3 50
Hensler, George	5	5 00	Post, William	¾	75
Horn, Charles	1	1 00	Pitcher, John	1	1 00
Hogan, John	2½	2 75	Ragan, John foreman	1	1 50
Holman, Levi	2	2 00	Reider, Nicholas laborer	24	24 00
Herman, Frederick	1	1 00	Root, Jason	6½	6 50
Hitchens, William	4	4 00	Reeder, Peter	4½	4 50
Hart, Michael	2½	2 50	Ryan, John	1½	1 50
Heinsler, Anthony	6	6 00	Rohan, Patrick	1	1 00
Heffrou, Marcus	2	2 00	Rose, Lewis	1	1 00
Howard, Patrick	1	1 00	Ragan, Lawrence	1¾	1 75
Harnaman, Fred'k	4½	4 50	Reis, Valentine	3	3 00
Huber, Henry	2	2 00	Ronan, Maurice	2	2 00
Hogan, Patrick	1½	1 50	Roda, John	2	2 00
Heeps, Simon	1	1 00	Rice, Richard	4	4 00

Reed, Bernard	1	**	1 00
Retche, Samuel	1	**	1 00
ryan, michael	1	**	1 00
Rosenkranz, Jacob	2	**	2 00
Roda, Henry	1	**	1 00
Roach, Martin	1	½	1 00
Roeds, James	1	**	1 00
Rochwell, William	1	**	1 00
Ready, George	1	**	1 00
Rossney, Edward	1	**	1 00
Reider, Peter carpenter	1	1 50	1 50
Rea, Thomas laborer	1	1 00	1 00
Shehan, Patrick, foreman	1½	1 50	2 25
Sullivan, Jeremiah, laborer	10	1 00	10 00
Stenches, Charles	7¾	**	7 75
Sturm, John	4½	**	4 50
Stanton, Thomas	1	**	1 00
Sullivan, Anthony	4½	**	4 50
Sullivan, Michael	4½	**	4 50
Schroth, John	3	**	3 00
Schultz, Martin	1	**	1 00
Strutz, Ferdinand	2½	**	2 50
Strewing, Frederick	1	**	1 00
Seitz, Henry	10	**	10 00
Sehm, Frank	2	**	2 00
Scaulan, John	1	**	1 00
Smith, Henry	1	**	1 00
Swanton, James	5½	**	5 50
Smith, Frank	1½	**	1 50
Spencer, J.P.	1½	**	1 50
Sullivan, John	3¾	**	3 75
Smith, James	2	**	2 00
Stevenson, Edward	1	**	1 00
Shannon, Jeremiah	4	**	4 00
Splaha, Thomas	1	**	1 00
Sprattius, John	1	**	1 00
Smith, Michael	3	**	3 00
Sweeney, Daniel	½	**	50
Schweitzer, Theodore	½	**	50
Schlottman, John	1	**	1 00
Sodoman, Charles	1	**	1 00
Strohm, John, Jr	1	**	1 00
Shehan, Patrick	1	**	1 00
Smith, Frederick	½	**	50
Steckel, John	4	**	4 00
Sullivan, William	1	**	1 00
Trent, Jeremiah, foreman	1	1 50	1 50
Tupp, Frederick laborer	2	1 00	2 00
Tepper, John	1	**	1 00
Thomas, Lawrence	2	**	2 00
Thomas, John W	4	**	4 00
Thomas, William	2	**	2 00
Thomas, Steven	2	**	2 00
Turley, Terence	1	**	1 00
Van, Hoff	1	**	1 00
Van, Hakirk	1	**	1 00
Williams, Samuel, paver	4½	1 50	6 37
Williams, Samuel, lab'er	2	1 00	2 00
Weis, Peter	2¾	**	2 75
Weining, John	2	**	2 00
Wunder, Jacob	1	**	1 00
Welch, John	1	**	1 00
Wallace, Thomas	1	**	1 00
Water, Gottlieb	2	**	2 00
Wanduse, Fred'k	½	**	50
Winter, Chas	1	**	1 00
Wiggins, John	1½	**	1 50
Wahl, John	1	**	1 00
Weingaertner, Chas	½	**	50
White, John	3	**	3 00
Weiser, John	2	**	2 00
Willis, John	1	**	1 00
Yorick, Henry	1	**	1 00
Yung, John	1	**	1 00
Yung, August	2½	**	2 50
Yunk, Frederick	1	**	1 00
Zink, William toolman	4 wks	9 00	36 00
Steinhauser, W. J clerk	4	**	11 54
Harris, Geo B, clerk	2	**	15 34
Ames, Edwin, team	2	3 00	6 00
Armstrong, John	1	**	3 00
Bayer, Peter	1	**	15 50
Bauer, Charles F.	4½	**	15 00
Comons, George	4	**	12 00
Cram, H. H.	3	**	9 00
Crissey, George	4	**	12 00
Eisenhauer, John	4	**	12 00
Eble, Joseph	6	**	18 00
Eickert, John	6	**	18 00
Fisner, Benjamin	3	**	9 00
Harty, Peter	6	**	18 00
Hollis, Wu	3	**	9 00
Kennedy, John	4	**	12 00
Kelly, Dennis	4	**	12 00
Knob, John	1	**	3 00
Logan, James	1	**	3 00
Miller, Michael	2½	**	7 50
May, Martin	4	**	12 00
Moran, Patrick	2	**	6 00
Nicholas, Geo	3	**	9 00
Oliver, Peter	4	**	12 00

Rossney, Patrick	7	**	21 00
Ryan, Michael	1	**	3 00
Slattery, John	4	**	12 00
Stuppe, John	5½	**	16 50
Smith, Hugh	5½	**	16 50
Smith, John	3	**	9 00
Ward, Frank	4½	**	13 50

Total.....\$1,363 46

EXECUTIVE BOARD.

Water Works Department.

Summary of Weekly Pay-rolls in W. W. Department, paid February 20th and 27th, 1880.

E. A. Maher	2 weeks	\$12 00	\$24 00
P. C. Fleming	2	..	24 00
John King	2	10 50	21 00
L T Lidster	2	..	21 00
F. Curran	2	..	21 00
H. Weber	2	..	21 00
H Wade	6-7	..	9 00
W McCarthy	2	9 00	18 00
F McKenna	2	7 50	15 00
J. Gallagher	2	..	15 00
P McKenna	2	..	15 00
P Leck	2	..	15 00
Geo B Harris	2	9 59	19 18

Total \$ 238 18

EXECUTIVE BOARD.

Water Works Department.

Summary of Semi-monthly and Monthly Pay-rolls in Water Works Department audited and paid February 20th and 27th, 1880.

J. N. Tubos	..	\$233 33
E. Kuiching	..	133 33
Thos. H. Rogers	..	55 00
T. J. Neville	..	125 00
C. A. Padley	..	75 00
L. M. Manville	..	60 00
W. N. Tubbs	..	40 00
S. C. McKay	..	90 00
Henry C Smith	..	75 00
P. J. Healey	..	45 00
P. J. McCracken	..	45 00
P. S. Almstead	..	50 00
C. W. Almstead	..	40 00
Alexander Gray	..	40 00
T. M. Blossom	..	40 00
Robt. Crennell	..	60 00
S. H. Oviatt	..	60 00
John McMaahon	..	45 00

\$1,314 66

FIRE DEPARTMENT PAY ROLL FOR THE MONTH ENDING FEBRUARY 29, 1880.

L S Gibson, Chief Engineer	..	\$ 120 00
J Malcomb, Assistant	..	33 33
B F Blackall, Supt. F. A. Telegraph	..	112 50
J P Foreman, Sup't Hose Dept	..	60 00
P. J. Hartel, eng' er and fore'n No. 1	..	60 00
M. Lumbert, driver	..	50 00
Thos Cole, hoseman	..	50 00
John Colbert, ..	..	50 00
Chas. Whitbeck ..	..	50 00
Frank A Jaynes, foreman No. 2	..	55 00
Charles Weaver, driver	..	50 00
J. B. Teller, hoseman	..	50 00
E. H. Mix, ..	..	50 00
P. C. Whitbeck, ..	..	50 00
J. P. Topham, f'mn and engl. No. 3	..	60 00
C. Armstrong, driver	..	50 00
J. McCormick, hoseman	..	37 50
Charles Little, ..	..	50 00
Owen Lynch, ..	..	60 00
Sam'l Gembl, foreman No. 4	..	55 00
Bernard Kearney, driver	..	50 00
Leo White, hoseman	..	56 00
George E Baker, ..	..	50 00
J. McMullen, ..	..	50 00
Joseph Ringelstein, foreman H. & L. No. 1	..	25 00
J Flunkett, ass't	..	52 00
Thos Elox, tillerman	..	55 00
E. H. Roark, driver	..	50 00
James Snider, ladderman	..	41 00
P. O'Meara, ..	..	50 00
Frank Huck, ..	..	50 00
Wm. Fogarty, ..	..	50 00
Wm Boon eng'r and foreman H. & L. No. 2	..	60 00
M S Butler, driver	..	50 00
Frank spears tillerman	..	50 00
Thos. Whitley ladderman	..	50 00
Chas Schafer ..	..	50 00
J. E. Finzer, ..	..	50 00
Jerome P Dowd, foreman Chem Ext'r	..	60 00
Nicholas Oldfield, pipeman	..	60 00
Edmund Barker ass't pipeman	..	50 00
R Pendlebury driver	..	50 00
L S Gibson, error in roll, Jan. 31	..	6 00

Total\$2,255 33

By the Clerk—

New YORK, February 25th, 1880.

C. C. Woodworth Esq., Water Works and Fire Board:

DEAR SIR—Your favor of the 17th inst. duly received.

My claim against the city of Rochester, as per the account given to Mr. Tubbs in April, 1876, amounted to \$16,284.27, of which it was proposed to allow me \$1,500. In other words, it was proposed to throw out my claim for interest (a just and fair charge), amounting to nearly \$7,000; and, further, to deduct from my account a charge made up by Mr. Tubbs for broken pipes amounting to about \$8,000. This arrangement I could not allow, although I was willing, and so stated, to waive the interest account, if no deduction was made for broken pipes. This proposition also fell through.

Had the statement of broken pipes been made up as the pipes were received, and the number of the car given from which the pipes broken were taken, the railroad companies could have been made to pay for the same, as was done in one particular instance where a large quantity of pipes were broken on the N. Y. Central Railroad at one time. No statement was received until nearly six months after the shipment had commenced, and as the proper detail was not given the railroad companies refused to entertain any proposition for payment of damages, as it was claimed that many of the pipes were broken while in the hands of the city's men. The instructions originally given to Mr. Tubbs was to receive no broken pipes from the railroad company.

In the hurry to get the pipes in the ground these instructions were disregarded, and the broken pipes were taken with the sound ones and cut off and used, and as the proper detail of the same was not given, it does not seem to be just to compel me to pay for what was beyond my control.

However, I am anxious to have my account settled and, to bring this about, would submit the following proposition for your consideration:

The city to pay the amount referred to, say.....\$1,500
 And interest to the present time, 5 years. 500

2,000
 And also to throw off one half the charge for broken pipe, say..... 4,000

And I to withdraw the charge for interest as originally rendered—in short, the city to pay in full of my account....\$6,000
 Yours, &c.,
 B. G. CLARK.

Referred to the Law Committee.

By Ald. Westbury—Communication from H. C. Daniels. Referred to Charter Amendment Committee.

By Ald. Otis—Resolved, That the City Surveyor be, and he is directed to prepare the necessary sprinkling ordinances for the present year. Adopted.

ACTION ON ORDINANCES.

SPRINKLING FRONT STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Front street from Main street to the N. Y. C. & H. R. R. Company's Depot, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$260.

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

The sprinkling of Front street from Main street to the N. Y. C. & H. R. R. Company's Depot, during the season of 1880.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$260, which estimate is hereby approved.

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

One tier of lots on each side of Front street, from Main street to, the N. Y. C. & H. R. R. Company's Depot.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING STATE STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling State street from the N. Y. C. & H. R. R. R. to Main street during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$312.

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

The sprinkling of State street from the N. Y. C. & H. R. R. R. to Main street during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$312, which estimate is hereby approved.

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

One tier of lots on each side of State street from the N. Y. C. & H. R. R. R. to Main street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, March the 23d, 1880, at 7½ o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING PARK AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Park avenue from Alexander street to Goodman street during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$208.

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

The sprinkling of Park avenue from Alexander street to Goodman street during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$208, which estimate is hereby approved.

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

One tier of lots on each side of Park avenue from Alexander street to Goodman street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, March the 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING LAKE AVENUE AND STATE STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling state street and Lake avenue from the N. Y. C. & H. R. R. R. to the north line of Jones avenue, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$390.

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

The sprinkling of State street and Lake avenue from the N. Y. C. & H. R. R. R. to the north line of Jones avenue, during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$390, 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, viz :

One tier of lots on each side of State street and Lake avenue from the N. Y. C. & H. R. RR. to the north line of Jones avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past seven o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING PLYMOUTH AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Plymouth avenue, from the Erie Canal to Troup street, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$260.

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

The sprinkling of Plymouth avenue from the Erie Canal to Troup street, during the season of 1880.

And whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$260, 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, viz :

One tier of lots on each side of Plymouth avenue, from the Erie Canal to Troup street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING ANDREWS STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council, the expense of sprinkling Andrews street, from North avenue to the river bridge, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$360.

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

The sprinkling of Andrews street, from North avenue to the river bridge, during the season of 1880.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$360, which estimate is hereby approved.

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

One tier of lots on each side of Andrews street, from North avenue to the river bridge.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., or section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend at the Common Council, on Tuesday evening, March 23d, 1880, at 7 1/2 o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING EAST AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling East avenue, from East Main street to east line of Alexander street, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$468.

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

The sprinkling of East avenue from East Main street to East line of Alexander street, during the season of 1880.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$468, 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, viz :

One tier of lots on each side of East avenue, from East Main street to east line of Alexander street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on

Tuesday evening, March the 23d, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING NORTH AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling North avenue, from East Main street to University avenue, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$208.

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

The sprinkling of North avenue from East Main street to University avenue, during the season of 1880.

And whereas the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$208, 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, viz :

One tier of lots on each side of North avenue from East Main street to University avenue.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March the 23rd, 1880, at half-past 7 1/2 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING EAST AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling East avenue from the east line of Alexander st. to city line during the season of 1880.

Adopted.

The surveyor submitted as such estimate \$832.

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

The sprinkling of East avenue from the East line of Alexander st. to city line during the season of 1880.

And whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$832, 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, viz :

One tier of lots on each side of East avenue from the east line of Alexander st. to city line.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165 of the Revised City Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING CLINTON STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Clinton street from Andrews street to Monroe Avenue, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$520.

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

The sprinkling of Clinton street from Andrews street to Monroe Avenue, during the season of 1880.

And whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$520, 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, viz :

One tier of lots on each side of Clinton st., from Andrews st. to Monroe Avenue.

And the Clerk is hereby directed to publish notice in pursuance of title VII, section 165 of the revised Charter of 1874 of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING EAST AND WEST MAIN STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling East and West Main street, from East avenue to the Erie canal, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$1,040.

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

The sprinkling of East and West Main street, from East avenue to the Erie canal, during the season of 1880.

And whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$1,040, which estimate is hereby approved.

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

One tier of lots on each side of East and West Main street, from East avenue to the Erie canal.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, March 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING LAKE AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Lake avenue from the north line of Jones avenue to Sweeting's north line, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$520.

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

The sprinkling of Lake avenue from the north line of Jones avenue to Sweeting's north line, during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$520, which estimate is hereby approved.

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

One tier of lots on each side of Lake avenue from the north line of Jones avenue to Sweeting's north line.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

UNION ST. SPRINKLING.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Union street from East avenue to Monroe avenue during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$260.

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

The sprinkling of Union street from East avenue to Monroe avenue during the season of 1880.

And Whereas, The City Surveyor, under direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$260, which estimate is hereby approved.

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

One tier of lots on each side of Union st. from East avenue to Monroe avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter, of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, March 23d, 1880, at half-past 7 o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING PHELPS AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of spring Phelps avenue, from the west line of Backus avenue to Lake avenue, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$156.

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

The sprinkling of Phelps avenue, from the west line of Backus avenue, during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$156, which estimate is hereby approved.

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

One tier of lots on each side of Phelps avenue, from Backus avenue to Lake avenue.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, March 23d, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

MONROE AVENUE SPRINKLING.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Monroe avenue from South Clinton street to Union street, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$312.00.

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

The sprinkling of Monroe avenue from South Clinton street to Union street, during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$312.00, which estimate is hereby approved.

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

One tier of lots on each side of Monroe avenue from South Clinton street to Union street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23, 1880, at half-past seven o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING SPRING STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Spring street from Exchange street to Caledonia avenue, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$236.00.

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

The sprinkling of Spring street from Exchange street to Caledonia avenue, during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$236, which estimate is hereby approved.

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

One tier of lots on each side of Spring street from Exchange street to Caledonia avenue.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, March 23d, 1880, at 7 1/2 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING MEIGS STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Meigs street from East avenue to Monroe avenue during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$286.

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

The sprinkling of Meigs street from East avenue to Monroe avenue during the season of 1880.

And Whereas, The City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$286, which estimate is hereby approved.

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

One tier of lots on each side of Meigs street from East avenue to Monroe avenue.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, March 23d, 1880, at half past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SPRINKLING WEST AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of

sprinkling West avenue from the Erie canal to York street, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$65.
By Ald. Wickens—Resolved, That the following im-
provement is expedient, viz:

The sprinkling of West avenue from the Erie canal to York street, during the season of 1880.

And whereas, The City Surveyor, under the direction of this Council has made an estimate of the whole ex-
pense thereof, and reported the same at \$650, which estimate is hereby approved.

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

One tier of lots on each side of West avenue from the Erie canal to York street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, March 23d, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

FINAL ORDINANCE NO. 2, 197.

IMPROVEMENT OF NORTH ST. PAUL STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to improve North St. Paul street, from the south line of Scramton street to the north line of the city.

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

Improving North St. Paul street, from the south line of Scramton street to the north line of the city, by the construction of a roadway of quarried stones covered with gravel, with Medina stone curbs and gutters on each side thereof, and to be twenty-six feet between lines of curbstones. Also, the necessary crosswalks, surface sewers, and the necessary repairs to existing walks and the necessary grading of the remaining portion of the street.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$40,000, which estimate was and is hereby approved; 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 St. Paul street, from the south line of Scramton street to the north line of the city of Rochester.

On which above described portion of the city the expenses of said improvement are hereby ordered as assessed.

And the tax payers to be assessed for making such improvement may, pay their assessments in five equal payments, as follows: One-fifth of the amount as assessed within thirty days after the advertisement of the assessment roll; one-fifth of the amount within one year from the confirmation of such roll; one-fifth of the amount, within two years from the confirmation of such roll; one-fifth within three years from the confirmation of such roll; and the remaining one-fifth within four years from the confirmation of such roll. On all sums paid prior to the maturity of the last installment a discount will be allowed of seven per cent. per annum.

Adopted by the following vote after Ald. Hebing presented a remonstrance:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.

Nays—Ald. Hebing—1.

UNFINISHED BUSINESS.

Ald. Hebing called up the report of the Law Committee in regard to claims for damages for the construction of a railroad bridge over East Main street, and moved its adoption.

Ald. Mandeville moved as a substitute that the matter be referred back to the City Attorney and the Alderman from the Tenth Ward.

Lost by the following vote.

Ayes—Ald. Tracy, Fitz Simons, Warren, Mandeville, Wickens—5.

Nays—Ald. Westbury, Otis, Hebing, Crouch,

Chambers, Chace, Vay, Edelman, Weaver, Knobles, Hart—11.

Ald. Otis moved that it be referred back to the Law Committee and the Aldermen from the 10th and 16th wards. Adopted.

By Ald. Warren—Whereas, Lots Nos. 36, 37, 38 and 39 of the Phelps tract, Varnum street, Ninth Ward were assessed for Varnum street sewer, No. 1,579, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated March 30, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$33, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., March 3, 1880.

Geo. D. Williams, Treasurer:

SIR—We, the Assessors of the City of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879 to J. H. Rothgangle, viz:

Lot No. north part 38 and south part 37, Phelps Tract, west side of Fulton avenue, Ninth Ward, 50 feet front, 50 feet rear, and 143 feet deep, and that the owner of said property should pay as his portion of Varnum street sewer, No. 1,579, the sum of \$33, upon the payment of which, with expenses and interest, he will be entitled to a release from the lien of the same upon the above described land.

(Signed.)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHAR, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., March 9, 1879,
(A true copy.) GEO. D. WILLIAMS, Treasurer.

By Ald. Warren—Whereas, Lots Nos. wpt 41, 42, 43 of the O. H. Palmer's subdivision, Hart avenue, Fifth ward, were assessed for the General City Tax, for 1879, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated March 9th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such Tax, upon the payment of \$23.91, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSORS' OFFICE,
ROCHESTER, N. Y., March 9th, 1880.

Geo. D. Williams, Treasurer:

SIR.—We, the Assessors of the City of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Helen M. Nurgan, viz:

Lots Nos. 41, 42, 43, w m pt, Palmer's subdivision, south side of Hart avenue, Fifth Ward, 32.5 feet front, 32.5 feet rear, and 99 feet deep, and that the owner of said property should pay as her portion of General City Tax, 1876, the sum of \$23.91, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUG. M. KOETH,
WM. MAHER, Assessors.

CITY TREASURER'S OFFICE,
Rochester, N. Y., March 9th, 1880,
(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.

By Ald. Warren—Whereas, Lots No. wpt. 41, 42, 43 of the O. H. Palmer subdivision, Hart avenue, Fifth Ward, were assessed for General City Tax for 1877, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the assessors, dated March 9, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$23.25, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE,
ROCHESTER, N. Y., March 9, 1879.

George D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property

was be assessed upon the assessment rolls for the General City Tax for the year 1879 to Helen M. Morgan, viz :

Lot No. 41, 49, 43 w m part Palmer's subn., south side of Hart avenue, Fifth Ward, 32.5 feet front, 32.3 feet rear, and 99 feet deep and that the owner of said property should pay as her portion of the General City Tax for 1877 the sum of \$23.25, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE }
ROCHESTER, March 9, 1880. }
A true copy. GEO. D. WILLIAMS, Treasurer.

Adopted.
By Ald. Warren—Whereas, Lots Nos. W pts 41, 42 and 43 of the O. H. Palmer's subdivision, Hart avenue, Fifth ward, were assessed for Martin street and Hart avenue sewer, under one valuation and in one amount, and are now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated March 8th, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$18.60, with expenses and interest, in pursuance of said certificate.

Adopted.

[COPY.]
CITY ASSESSORS' OFFICE. }
ROCHESTER, N. Y., March 9th, 1880. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879, to Heim M. Morgan, viz:

Lot Nos. 41, 42 and 43, west middle part Palmer's subdivision, south side of Hart avenue, Fifth ward, 32.5 feet front, 32.5 feet rear, and 99 feet deep, and that the owner of said property should pay as her portion of Martin street and Hart avenue sewer the sum of \$18.60, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS W. KOETH,
WM. MAHER,
Assessors.

CITY TREASURER'S OFFICE, }
Rochester, N. Y., March 9th, 1880 }
(A true copy.) GEO. D. WILLIAMS, Treasurer
Adopted.

Ald. FitzSimons presented a petition in regard to the construction of street car tracks in Allen street.

Also the following :

CITY ASSESSORS' OFFICE, }
ROCHESTER, N. Y., March 9, 1880. }

To the Hon. Common Council :

GENTLEMEN.—At the request of several tax payers owning property on Allen street, between State and Brown streets, the undersigned submit the following statement :

Total assessed valuation of property on Allen street, between State and Brown streets is \$286,525.

Of that amount, assessed to parties whose names appear on the petition for the construction of the Street Rail Road through that street, is the assessed valuation of \$55,323.

Respectfully submitted,

D. MCKAY,
A. M. KOETH
WM. MAHER
Assessors.

Ald. FitzSimons moved a reconsideration of the resolution adopted Dec. 30, 1879, granting permission to the R. C. & B. R.R. Co., to lay tracks in Allen and other streets.

Ald. Westbury made the point of order that the resolution had carried with it vested rights and could not now be reconsidered.

The President ruled the point of order well taken.

MISCELLANEOUS BUSINESS.

By Ald. Chambers—Resolved, That the Clerk draw and order on the Treasurer in favor of the chairman of the Board of Inspectors of each election district for the sum of \$75 in full for services for charter election, 1880. Also, an order in favor of each proprietor (except the city of Rochester) of places used for election polls for the sum of \$30. Also, an order in favor of Wm. Coughlin and Engine Company No. 1 for \$15 each, and charge contingent fund. The clerk, when requested, will draw the orders in favor of the individual inspectors and clerks. Adopted by the following vote :

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—16.

Ald. Otis offered the following, which was adopted :

Whereas, There is now pending in the Legislature of this State an act entitled "An Act to regulate the transportation of freight by railroad companies in this State," which is evidently in the interests of the people and for the public benefit, and intended to prevent discrimination in favor of one citizen against another, and to protect manufacturers of our own State from unfair competition by citizens of other States, therefore

Resolved, That we approve of the features of the bill, and endorse the action of our immediate representative in the Legislature, Hon. Charles S. Baker, in advocating the measure.

Resolved, That the above resolution be transmitted to Mr. Baker by the Clerk.

By Ald. Tracy—Resolved, That the Treasurer be and is hereby authorized to cancel the assessment against the following charitable institution for unpaid water rents, viz :

Home of Industry.....	\$ 23 88
Nazarith Convent and Academy.....	130 40
Sisters of Mercy.....	64 39

Ald. Mandeville moved that the matter lie on the table until the next regular meeting.

Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Crouch, Mandeville, Wickens, Weaver—8.

Nays—Ald. Tracy, Westbury, Chambers, Chace, Vay, Edelman, Knobles, Hart—8.

The resolution was then declared lost.

Ayes—Ald. Tracy, Westbury, Chambers, Chace, Vay, Edelman, Knobles, Hart—8.

Nays—Ald. FitzSimons, Otis, Warren, Hebing, Crouch, Mandeville, Wickens, Weaver—8.

By Ald. Chace—Petition for the laying of gas mains in Jones avenue between Frank street and Saratoga avenue.

Also the following :

Resolved, That the Rochester Gas Company are requested to lay their mains in Jones avenue between Frank street and Saratoga avenue. Adopted.

On motion of Ald. Edelman the Board then adjourned.

EDWARD ANGEVINE,
City Clerk.

In Common Council, March 23, 1880.

REGULAR MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

The Clerk asked that the minutes of the last meeting be so amended as to read "The petition of Nick Hanna for permission to erect a wood building. Referred to the Wood Building Committee and Fire Marshal." The minutes as amended were then adopted.

PRESENTATION OF PETITIONS, ACCOUNTS, &C.

By Ald. Tracy—Bills of

Rochester Gas Co., light and care of lamps.....	\$204 00
Wm. Connor, repairing lamps.....	46 00
National Gas Light Co., care of lamps for March.....	505 00
Citizens' Gas Co., care of lamps for March.....	2502 50
Howe & Snyder, labor and material.....	14 00
Goodale & Stiles, burners.....	14 00

Referred to the Lamp Committee.

By Ald. Tracy—Petition of Joseph McDonald for permission to erect a wood building and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Tracy—Petition for lamps in Jennings street and moved that the Lamp Committee be directed to place lamps therein. Adopted.

By Ald. Westbury—Petition of taxpayers to sprinkling South Washington street. Referred to the Improvement Committee.

By Ald. Westbury—Petition of taxpayers in regard to quarries, &c., in the Eighth Ward. Referred to the Board of Health and Law Committee.

By Ald. Otis—Bills of

M. C. Mordoff, lumber.....	\$ 3 61
Litfield & Stiefried; hardware.....	1 96
M. Huntington; oil.....	3 45
John Sullivan; horse-shoeing.....	5 25
Union & Advertiser; printing.....	7 50
John O'Rourke; board of horse.....	7 50
.....	38 00

Referred to the Health Committee.

By Ald. Otis—Bills of

Citizens Gas Co.; removing lamps.....	44 00
..... rearranging lamps.....	65 75

Referred to the special committee on rearranging lamps.

By Ald. Crouch—Bills of

S. B. Roby; rent of coal yard to April 1st.....	\$7 50
Zegewitz & Fisher; meat.....	100 00
Gerling Bros.; flour and meal.....	173 00
Lewis Boss; bread and crackers.....	417 93
Foenner & Maier; burials.....	42 50
Erhart & Co.; meat.....	75 00
A. Batterschmidt; meat.....	100 00
James O. Howard; medicine.....	8 00

Referred to the Poor Committee.

By Ald. Chambers—Bills of

A. S. Mann; cloth for Surveyor.....	6 28
Serautom & Wetmore; stationery.....	53 85
.....	9 75
.....	20 40
.....	12 34
.....	7 20
Williamson & Higbie;	19 79
L. K. Tower & Co.;	2 70
Union & Advertiser; printing.....	558 50
.....	77 50
.....	10 00
Louis W. Brandt;	88 25

Referred to the Contingent Expense Committee.

By Ald. Mandeville—Bills of

Rochester Gas Co.; gas City Hall.....	106 26
C. J. Hayden, desk for Treasurer's office.....	56 00
Wray & Elwood, repairs.....	1 60
D. Cooney, work.....	3 00

Referred to the City Property Committee.

By Ald. Mandeville—Petition of Nicholas Kegel to move a wood building; also, petition of Mary Parker to erect a wood building. Referred to the Wood Building Committee.

By Ald. Vay—Petition of John B. Weiss for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Edelman—Petitions of S. Mansuet and Lorenzo Ernst for permission to erect wood buildings, and moved that the prayer of the petitioners be granted. Adopted.

REPORTS OF STANDING COMMITTEES.

Ald. Tracy, from the Lamp Committee; Ald. Otis, from the Health Committee; Ald. Otis, from the Committee on Re-arranging Lamps; Ald. Crouch, from the Poor Committee; Ald. Chambers, from the Contingent Expense Committee; Ald. Mandeville, from the City Property Committee; reported in favor of the bills referred to their respective committees, and referred them to the Finance Committee for payment.

By Ald. Hebing—

ROCHESTER, N. Y., March 18, 1880.

To the Common Council of the City of Rochester:

GENTLEMEN—The case of Mary Raines against the city resulted in the same way as the action of Thomas Raines. I would suggest that the matter be referred to the Law Committee to ascertain whether it is desirable to take any further steps in the matter. Yours truly,

J. B. PERKINS.

By Ald. Hebing—Resolved, That the Clerk draw the usual order on the Treasurer, payable to Mary Raines, or her attorney, for \$1,000 damages and for such further amount for costs, as the Clerk of Monroe county shall tax and certify to be correct in the suit lately tried in the Supreme Court, wherein the said Mary Raines was plaintiff and the City of Rochester was defendant, upon their executing a proper release and satisfaction to the city in full for all damages and costs in said action, to be approved by the City Attorney, and charge the amount to the Contingent Fund.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

Ald. Mandeville in the chair.

By Ald. Hebing—

To the Common Council of the City of Rochester:

Your Law Committee hereby submit their annual report, containing a statement of the legal business of the city, under the charge of the present City Attorney, since his appointment to that office.

When he entered upon the duties of his office, J. B. Perkins, Esq., his predecessor, turned over to him the papers in the following suits then pending in the Supreme and County Courts, in which the city was a party, viz: In the Supreme Court, the suit of Susannah Keyel agst. The City. An action brought to recover \$5,000.00 damages for injuries to the person of plaintiff, caused as was alleged by her horse becoming frightened at the steam roller, while being used on East Avenue, and running away, throwing her out of the wagon and injuring her severely.

The suit was tried at the October Circuit, 1878, before a jury which resulted in a verdict in favor of the city. The Attorneys for plaintiff have prepared and served a case and exceptions, with the view of obtaining a new trial. The City Attorney has prepared and served, propose amended to said case. The matter is still pending, it not having yet been presented to the Court for its decision thereon.

The suit of Edwin S. Hayward agst. The City, in the Supreme Court, was one of several similar actions, which he had theretofore brought against the city to recover damages for alleged injuries to his land and crops growing thereon, by the overflow of water from the Court and William street outlet sewer. In every case he was successful. In this case he claimed to recover \$1,400.00 damages with interest thereon, besides costs, which he claimed he sustained during the years 1875 and 1876. The suit was tried in August, 1878, before H. H. Woodward, Esq., Referee, who reported in favor of plaintiff, for \$360.00 damages, and \$135.00 interest thereon, besides costs.

Another case in said Court was one in which Wilhelmina M. Schmalfeldt was plaintiff against The City, in which she claimed \$5,000.00 damages for alleged injuries sustained in consequence of stepping or falling into a large hole in the sidewalk on North avenue. The City Attorney served a notice on the owner of the property in front of whose premises the accident occurred, that he must come in and defend the suit, or the city would hold him responsible to it for all damages and costs it might be subjected to in case it was defeated. At the time the suit was about to be reached and tried in the court, the owner of said premises and the plaintiff succeeded in effecting a settlement, and the suit was discontinued with out cost to the city.

The next case in said court was that of John Mulryan against the city, brought to recover \$5,000.00 for loss of service of his infant daughter in consequence of a permanent injury to one of her knees by stepping into a hole in the sidewalk on Plymouth avenue, whereby she was crippled for life. The cause was tried at the January circuit of 1879, before a jury, who rendered a verdict against the city for \$375.00 damages, which was afterwards paid.

The next case is that of Albert C. Hobbie against the city, in which he claims to recover \$10,000.00 damages for emptying North avenue outlet sewer into a stream of water which runs through his farm in the town of Irondequoit, whereby, as is alleged, the stream of water has become foul and polluted and unfit for use and the air filled with noisome and pestilential odors and vapors, engendering fevers and other diseases. In consequence thereof his wife sickened and died and his children made sick for a long space of time, &c. The cause was reached at the last January and present March terms of the court, but was put over said terms in consequence of the absence of Hon. John Van Voorhis in Washington, who is attorney and counsel for plaintiff in the case. It will be one of the first cases to be tried at the next June circuit.

The next case was that of Seth W. Marsh against The City, brought to recover damages to the amount of \$6,000.00, for creating and maintaining a nuisance by the construction of Lake Avenue outlet sewer and emptying its contents on his premises near his dwelling

house so that it flowed in an open stream across said premises into Deep Hollow creek. The cause was tried at the March Circuit, 1879, before a jury, who brought in a verdict in favor of plaintiff for \$600.00 damages, which with the costs was afterwards paid.

The next case was that of Nellie McFarland, as Administratrix, &c., against The City, brought to recover damages in the sum of \$5,000.00 for negligently omitting to erect a fence or barrier at the head of Ford street where it intersects with the Genesee Valley Canal, also for negligently omitting to keep the lamp situated on the corner of Ford and Adams street lighted, whereby, as was alleged, the plaintiff's mother in passing up Ford street one dark and foggy evening, intending to turn from Ford into Adams street and thence across the Valley Canal bridge, was deceived and misled and passed by Adams street along Ford street across the towing path and into the Genesee Valley Canal, where she was drowned. The case was first tried at the October Circuit in 1878, before a jury who were unable to agree upon a verdict. It was again tried at the March Circuit in 1879, and resulted in a verdict in favor of the City.

The suit brought by the City against Thomas Cannon in the Supreme Court to perpetually restrain and enjoin him from erecting a fence or placing an obstruction in or encroaching upon Union alley in this city has been reached at two several Equity Terms of said court, held in December, 1879, and February, 1880, but was postponed on account of the absence of Hon. John Van Voorhis, who was attending to his official duties in Washington as hereinbefore stated, and who is one of the attorneys and counsel for defendant therein.

The suit of Nicholas Lauer against The City, in said court, is brought to recover the value of services alleged to have been rendered by plaintiff for the city as a teacher of the German language in its public schools. It is alleged that the plaintiff entered into an agreement to serve the city as such teacher for the stipulated sum of \$80 per month. The plaintiff now claims that his services were reasonably worth the sum of \$150 per month, and that at the time he entered into the contract aforesaid he was an infant under the age of twenty-one, and therefore he was by reason thereof incapable of making or entering into any agreement which would be binding upon himself, and he has brought this action to recover the difference between \$80 per month, the stipulated price, and the amount he claims his services were reasonable worth, to wit: \$150 per month, amounting in the aggregate to the sum of \$840, with interest thereon from about July 1st, 1875. The case is still pending and will probably be tried at the next term of the court.

The case of Anna Maria Wayland against The City, was an action brought by her to recover \$2,000 damages by being thrown down and injured while passing on and along the sidewalk on Vine street, in this city, caused, as was alleged, by the walk being defective, dangerous, and out of repair. The City Attorney served a notice upon the owner of the property in front of whose premises the accident was alleged to have occurred, that he must come in and defend the action or else the city would hold him accountable for all damages and

costs that it might be subjected to in case the suit should be decided against it. Before the cause was tried the owner of the property and the plaintiff agreed upon terms of settlement and the suit was discontinued without costs to the city.

The suit of Isaac Gibbard against The City, impleaded with others, was for the foreclosure of a mortgage upon property situated on both sides of the Genesee river, at or near Vincent Place Bridge, and upon a portion of said territory it was claimed the city had erected its bridge without obtaining from the mortgagee a release of that portion of said premises, or of obtaining his consent to the erection thereon. The City Attorney appeared in the action for the city, and its rights therein were finally adjusted and settled by this Board.

The suit of Robinson against the city was brought to recover \$1,000 for injuries caused by falling into a trench dug in the street for the purpose of laying water mains therein. The action had been once tried and the jury disagreed. It came on again for trial at the September term of the County Court in 1878 and resulted in a verdict for the city.

The suit of Henry Bamber, Receiver, &c., against the city, was brought to recover about \$1,000 damages caused by the destruction of a large quantity of rags by order of the Board of Health on the ground that they were tainted or infected to such an extent as to generate or propagate the disease known as small pox. The cause was tried at the September term of the County Court, and the plaintiff was nonsuited. The plaintiff has appealed the suit to the General Term of the Supreme Court for the fourth department, which appeal is now pending.

The suit of James K. Burlingame against the city was brought to recover \$500 for injuries to his horse, buggy and harness, by reason of his horse becoming frightened at a street roller belonging to the city, and running away, whereby Thomas Raines and his mother Mary Raines were thrown out of the buggy and severely injured. The horse was injured to some extent and the buggy was literally smashed to pieces. The case by agreement was held in abeyance until the suits brought severally by Thomas and Mary Raines against the city to recover for the injuries which they sustained, were tried and disposed of. Those two suits were left with J. B. Perkins, Esq., former City Attorney, and under whose administration they were commenced, to manage and try the same for the city. They have each been tried, and a verdict was rendered in each case against the city for \$1,000.

The liability of the city having been established in the trial of the two cases aforesaid, the committee thought it prudent to settle the suit with Mr. Burlingame, which was effected by and under a resolution of this Board adopted at its last regular meeting, by paying him \$100.00 damages besides costs of suit. The following are new suits which have been commenced during the term of the present City Attorney: The suit of Hiram Sibley against Hon. Cornelius R. Parsons, Mayor, &c., was brought to restrain the Mayor from executing a contract in behalf of the city under the direction of the Common Council, with the Flour City National Bank and Traders' National Bank to receive the deposits of the funds of the city for the year 1878. The City Attor-

ney, in behalf of the city, defended the action, and at the last Equity Term of the Supreme Court, when the case was about to be reached and tried, the plaintiff discontinued the action and paid the costs.

The suit of John Van Voorhis against the city was brought to recover the value of his services rendered the city as counsel, &c., in assisting General Martindale in the defence of the action brought by George D. Lord against the city. The special committee appointed by the Common Council to take charge of the defence of the action offered to pay Mr. Van Voorhis \$1,500.00 for his services, which he declined to receive. He claimed that his services were reasonably worth \$4,000.00, and that he should be paid that sum therefor. The claim was referred to the Common Council for their action in the matter, and they declined to pay a greater sum than the \$1,500.00 offered by the Committee aforesaid. Thereupon Mr. Van Voorhis brought this action against the city to recover the said claim of \$4,000.00. The City Attorney under the direction of the Law Committee of this Board, tendered to the plaintiff an offer in writing allowing him to take judgment against the city in said action for the sum of \$1,625.00 besides costs, which was equivalent to allowing him \$1,500.00 for services and \$125.00 for interest on the same down to the time the offer was made. He declined to accept the offer, and the suit is now pending, and will in all probability be reached and tried at the next June term of the Circuit Court.

The case of Hiram Smith and thirty other plaintiffs, mill owners, against the city was brought to perpetually restrain and enjoin the city from taking and using any water out of Hemlock Lake. The suit was tried before Justice Rumsey, who reported in favor of the city. The plaintiffs have appealed from his decision to the General Term of the Supreme Court, Fourth Department, where it is now pending.

The suit of John B. Arkland against the city was brought to recover \$5,500 damages for an alleged nuisance caused by emptying the contents of Lake avenue outlet sewer into Deep Hollow creek, which runs close to plaintiff's dwelling house, in consequence of which, it is alleged, several members of his family were made sick for a long period of time, &c. The cause is still pending, and will probably be reached at the next term of the Circuit Court.

The suit of the city of Rochester against John R. McLean was brought to foreclose some certificates of sale for taxes held by the city. It was brought at the instance of parties entitled to the equity of redemption for the purpose of perfecting the title, as well as to collect the amount due the city for the unpaid taxes and the interest thereon. The parties at the proper time paid the City Treasurer the amount due and took a decree of the court in their favor.

The suit of Frederick Beck against the city was brought to recover the value of a horse which fell from Buell avenue down the bank and was injured so that it soon after died. He claimed the value of the horse to be \$200. The jury brought in a verdict against the city for \$40. That not being sufficient to carry costs, and the defendant's costs being a much greater amount, \$40 of defendant's costs was set off against the \$40 recovery, so that the plaintiff's

claim was thereby canceled without the payment of anything on the part of the city. The plaintiff's attorney has made and served a case and exceptions in the action with a view of obtaining a new trial, which has not yet been acted upon.

The suit of Norman W. Mather and Grove W. Mather against the city was an action brought in behalf of all the millers on Canadice Outlet to recover damages by reason of their being deprived of the use of water naturally flowing out of Canadice Lake, to supply their mills. The plaintiffs claimed to recover \$700 besides costs. It was tried before Judge Thayer, of Warsaw, Referee, who reported in favor of plaintiffs for damages \$228.74. The city has appealed from the judgment to the General Term of the Supreme Court, 4th Department, where it is now pending.

The suit of James H. Hooker against the city is brought for the same cause of action as that of Mr. Hobbie's hereinbefore mentioned. Mr. Hooker owns the farm adjoining and lying next west of Mr. Hobbie's, and the same stream runs through Mr. Hooker's farm. He claims to recover damages to the extent of \$13,000 against the city. The suit is now pending in the Supreme Court and has not yet been reached on the calendar for trial.

The suit of Simon Sexsmith was brought to recover \$1,000 damages against the city for negligently allowing the snow and ice to remain upon the sidewalk of one of the streets, whereby, as was alleged, the plaintiff slipped and fell, and broke his arm and dislocated his shoulder. The matter was brought before the Common Council and, under the advice of the Law Committee, a resolution was adopted authorizing the Treasurer to pay him \$200 in full for his damages and costs, which was accordingly done.

The suit of Edgar Hermance against the city is brought to recover \$5,000 damages for injuries he claims he sustained by reason of the carelessness and negligence of the city in omitting to fill up and level off a pitch hole in East Avenue in January, 1879, whereby the plaintiff, as is alleged, was thrown out of his sleigh, and severely injured. The case is now pending in the Supreme Court but has not yet been reached for trial.

The suit of Charles S. Hall against the city is brought to recover several hundred dollars taxes assessed to and paid by him to the City Treasurer which he alleges were erroneously assessed to him when they should have been assessed to his brother. The action is still pending in the Supreme Court.

The suit of Hannah F. Brown against the city is brought to perpetually restrain and enjoin the city from emptying the contents of Court and William street outlet sewer into the stream of water which runs through plaintiff's farm, thereby creating a nuisance, as is alleged, and also to recover damages to the amount of \$5,000. The suit has been referred to Judge Gardner, of this city, and Judge Bangs, of Le Roy, to hear, try and determine.

The suit of Frederick M. Glasser against the city was brought to recover \$300 damages to his nursery stock and trees, caused, as was alleged, by the overflow of East avenue and Upton park outlet sewer. After issue had been joined therein the plaintiff discontinued the action.

The suit of Mary Kress against the city, impleaded with the Rochester City and Brighton Railroad Company, is brought to recover damages for injuries alleged to have been sustained by plaintiff by slipping and falling down between the rails of the railroad company's track while crossing North St. Paul street on the crosswalk on the north side of East Main street, whereby one of her limbs was broken and she was otherwise greatly injured. It is claimed the accident was caused by the accumulation of snow and ice upon said crosswalk, which the defendants were required by law to remove and keep clear therefrom. She claims to recover \$5,000 damages against each of the defendants. The suit is still pending in the Supreme Court, it not having yet been reached for trial.

The suit of George Frank against the City is brought to recover \$10,000 damages caused as is alleged by the incapacity of the Brooks's Tract sewer to carry off all the water and sewage flowing into it, whereby the water sits back and flows into plaintiff's cellars under his block and several dwelling houses situate on Monroe avenue, thereby causing the damage aforesaid. The suit is now pending in the Supreme Court and will be tried when reached.

The suit of Seth W. Marsh against the City was brought to recover \$1,000 damages which accrued subsequent to the commencement of the action hereinbefore mentioned. The cause was tried at the last January term of the County Court before a jury who rendered a verdict in favor of plaintiff for \$100, which was subsequently paid by resolution of the Common Council.

The said Marsh has also brought another action against the City to recover \$1,000 damages for creating and maintaining a nuisance by emptying the contents of Lake avenue sewer into Deep Hollow Creek, which flows over and upon a portion of his premises. The action is still pending and untried.

The suit of Richard Smith against James H. Kelly and others is brought to recover damages to the amount of \$10,000 against the defendants for carelessly and negligently driving or causing to be driven a span of horses attached to a hose carriage or other vehicle belonging to the Fire Department of the City against, upon and over the plaintiff on the night of December 31st, 1875, whereby both of the plaintiff's legs were broken and he was otherwise greatly injured as is alleged. The defendants were each members of the Common Council at the time of the injury and were appointed by that body to inaugurate and carry out a suitable celebration to take place at the opening of the Centennial year to wit: at 12 o'clock on the night of December 31st, 1875. The plaintiff brought his action first against the City and on the trial at the Circuit Court he was nonsuited. He then appealed the case to the General Term and from there it went to the Court of Appeals, where the decision of the court below was sustained. He now brings the action against the individual members of the committee. On the presentation of the case to the Common Council they decided to assume the defense of the action for and on behalf of the city, and directed the City Attorney to appear and defend the action. The case is at issue, and will be tried in due time.

The suit of Louis Klechammer against the city is brought to recover damages for the overflow of plaintiff's land, situate near North avenue, by the North avenue outlet sewer, and for injury to his crops and the flowing of the water into his cellar, &c. He owns about one acre of land, and claims damages to the amount of \$550.00. The action has not yet been tried.

The suit of William S. Little against the city is brought to recover damages alleged to have been sustained by plaintiff in consequence of the city's constructing a sewer and thereby diverting a stream of water into said sewer, as is alleged, so that in times of freshet or high water it overflows his land and injures and destroys his trees, shrubs, plants and nursery stock growing thereon. He claims to recover \$1,000.00 damages. The suit is now pending in the Supreme Court, and will be tried when reached.

The suit of C. Henry Amsden against the city was brought to recover \$140.65 upon two assigned accounts—one by Louis Klein and the other by Anthony Hefner for bread sold and delivered to the Poor Department of the city. The committee have made an effort under a resolution of this Board to settle said claim, but as yet have been unable to do so. They are not without hope that their efforts in the future will be successful. The action is brought in the County Court and is now on the calendar of the present term of that court.

The suit of George Klem and others against the city is an action brought to restrain and enjoin the city from closing Goodman street where it crosses the New York Central and Hudson River Railroad and to recover damages therefor which they estimate to be \$1,000 at the time of the commencement of the action. The action is now pending in the Supreme Court, and will be tried when reached.

The suit of James G. McCartney against the city is brought to recover damages for injuries alleged to have been received by plaintiff in consequence of Smith street, where it crosses the Erie Canal, being out of repair and not in good condition through the carelessness and negligence of the city. The plaintiff claims he was driving a horse attached to a buggy in which he was riding over Smith street bridge, going east, and when he got to the east end of the bridge he found that the street where the horse stepped off from the bridge was about a foot lower than the level of the bridge, and that the horse stepped off with such force and violence as to break some part of the harness which let the buggy run into the horses hind legs which caused him to run away, whereupon the plaintiff was thrown out on Vincent Place bridge and two of his ribs were broken, his shoulder fractured and he was otherwise greatly injured, for which he claims to recover \$5,000 damages. The suit is now pending in the Supreme Court and will be tried when reached.

The suit of Otto Zern against the city is brought to recover damages caused, as is alleged, by the city opening a ditch or trench in Orange street, and leaving it open during the night without sufficient guards being placed around it whereby plaintiff's horse and wagon were precipitated in it and the horse severely injured, and the harness and wagon greatly broken to pieces. He claims to recover \$300.00 damages. The suit is now pending in the Monroe County Court, and will be

tried when reached. The trench was dug by a plumber and the city holds his bond, with sufficient sureties, in the sum of \$2,000 to indemnify it in such cases, and he has been notified to come in and defend the action or else the city would hold his sureties on the bond responsible to it in case it should be defeated in the action.

There have been twenty-one other suits brought by the different savings banks and other parties for the foreclosure of mortgages upon property on which the city had a lien for unpaid taxes, in which the city was made a party in each case. The City Attorney appeared and served an answer in each case, setting up the city's claim and the extent thereof, thereby securing payment to it of the amount of its claim.

The foregoing are all the suits which the present City Attorney has had the management and control of during his present term.

There is an action now pending in the Supreme Court wherein The City of Rochester is plaintiff and The Rochester & State Line Railway Company is defendant, in which action the plaintiff seeks to recover the amount of certain coupons issued by the defendant to the plaintiff, of the alleged value of \$115,000.00. The action was brought by direction of a special committee appointed by the Common Council, who retained General Martindale to take charge of and prosecute the suit for the city, which he is now doing. The action was brought in the Supreme Court, and will be tried as soon as reached.

Another action was brought under the direction of the aforesaid committee, wherein The City of Rochester is plaintiff and Henry A. Taylor and others are defendants, to recover the value of 600 first mortgage bonds with coupons attached, of the par value of \$1,000 each, issued by The Rochester & State Line Railway Company to the plaintiff, and owned and held by it, but which were afterwards delivered to the defendant Taylor, pursuant to a contract theretofore made between plaintiff and the defendants Taylor, Waterman and Leighton. It is claimed by the plaintiff that said Taylor, Waterman and Leighton, parties to said contract, have failed to perform the same or comply with its terms and conditions whereby an action accrued to the plaintiff to recover the value of said bonds which were of the value of \$600,000, besides the interest thereon, for the recovery of which this action was brought. The committee retained General Martindale to also prosecute it the same as the other for the city and he now has the charge of it and as soon as it is reached it will be moved for trial.

The suit of George D. Lord against the city, which was decided in its favor, from which decision the plaintiff appealed to the General Term of the Supreme Court for the Fourth Department, was argued at the last term of that Court. The decision will probably be announced at the close of the next term thereof, which commences its session in this city on the 6th day of April next. General Martindale was retained by the Special Committee having the suit in charge to conduct the defense for the city on the appeal, which he has done.

Another action has been brought in the Supreme Court by J. Herbert Shedd of Providence, Rhode Island, against the city, to recover for services rendered by him as a sani-

tary engineer under the employment of the Board of Health of this city. He seeks to recover upwards of \$400, the stipulated price agreed upon between himself and said Board of Health. The claim when first presented to this board was referred to your Law Committee who, after ascertaining the facts of the case, and by and with the advice of the City Attorney, reported in favor of paying the bill. A majority of the members of this Board, however, differed with the views of the committee, and refused to order the payment of the same. One of the members of this board then volunteered to defend the action when brought, on his individual responsibility and at his own risk and expense, which offer was accepted by this board. We understand the suit is at issue and that the Alderman above referred to is defending the same.

In addition to the suits above mentioned the City Attorney has tried all the suits brought by the Overseer of the Poor in behalf of the city in cases of bastardy during his term with but two exceptions where the parties interested furnished their own counsel. He has also tried many of the most important suits in the Police Court in behalf of the city for the violation of ordinances.

There has been 18 suits tried or otherwise disposed of besides the large number of mortgage foreclosure cases hereinbefore mentioned which the City Attorney has had the charge of, in which the parties claimed to recover the aggregate sum of \$34,900.00, and the total amount of recovery in the cases in which the city was defeated was \$2,598.74. There are now nineteen suits pending in which the city is a party (exclusive of those which the special committees appointed by this Board have in their charge) in which the parties interested claim to recover the aggregate sum of \$78,330.65.

The City Attorney has had no assistance by way of counsel or otherwise in the management and trial of any of the aforementioned suits except the two Water Works causes in which by and under the direction of this Board W. F. Cogswell, Esq., was retained as counsel to assist in the defence of said actions which he has done.

In conclusion your committee would say that they cannot sever their official connection with City Attorney A. G. Wheeler, without an especial commendation of the tireless energy with which he has discharged the unusually arduous duties of his office for the past year, it is therefore with unqualified satisfaction that your committee bear testimony to the faithfulness and ability of the present City Attorney A. G. Wheeler.

All of which is respectfully submitted.

HENRY HEBING,
D. H. WESTBURY,
LEWIS EDELMAN,
Committee.

Ald. Chace in the chair.

Ald. Hebing called from the table the following report:

By Ald. Hebing—

To the Common Council of the City of Rochester.

Your Law Committee would report, in regard to the claims of various persons against the city for damages alleged to have been sustained by reason of the construction of a bridge

over the New York Central & Hudson River Railroad on East Main street, in this city, and the construction of the abutments and approachs thereto, and the change of route of Goodman street through the Hair property near the bridge, that, in the opinion of your committee, the claims of the different persons are so varied in their character, and the questions of law involved in each case are so dissimilar, that it is for the interest of all parties concerned that each claimant resort to his own legal remedy, instead of attempting to adjust the various interests and legal questions arising in the case by the appointment of commissioners. Your committee, therefore, offer the following resolution for the consideration of the Board:

Resolved, That the City Attorney be and he is hereby directed not to enter into any negotiations or stipulations on the part of the city by way of compromising said claims. All of which is respectfully submitted.

HENRY HEBING,
D. H. WESTBURY,
Committee.

Dated February 24, 1880.

Ald. Hebing moved that the resolution be adopted.

J. B. Perkins was heard.

Ald. Mandeville moved as a substitute that the City Attorney enter into a suit with the parties concerned, and have it referred to Judge Angle.

Ald. Otis moved that the motion lie on the table until the City Attorney files his answer to the complaint. Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Wickens, Edelman—10.

Nays—Ald. FitzSimons, Mandeville, Vay, Knobles, Hart—5.

By Ald. Hart—Petition for lamps in Casper street. Referred to the Lamp Committee.

By Ald. Hart—

ANNUAL REPORT OF THE POLICE COMMITTEE.

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

GENTLEMEN: We herewith present the following as the annual report of your Police Committee:

RECEIPTS.

Balance treasury March 20, 1879.....	\$ 6,694 69
By general taxes.....	59,000 00
By city note.....	10,000 00
Sale of unclaimed stolen property.....	31 06
County of Monroe for services rendered by the Department.....	421 18
Fines paid by Clerk.....	7,089 53
Total receipts.....	\$83,186 37

EXPENDITURES.

Salaries, including Police Commissioners, Police Justice, Clerk, &c.....	\$73,141 01
Society for Preventing Cruelty to Animals.....	215 00
Chief of Police expenditures.....	351 59
Clerk of Police expenditures.....	158 64
Printing, stationery, dockets, &c.....	217 90
Repairing cells, water closets, &c.....	61 48
Ice at headquarters.....	78 52
Medical services.....	105 00
Band on inspection day.....	50 00
Fines refunded by Common Council.....	25 00
Furniture for headquarters.....	71 35
Total expenditures.....	\$75,068 49

All of which is respectfully submitted.

J. J. HART,
W. MANDEVILLE,
PHILIP WICKENS,
Police Committee.

Rochester, March 20, 1880.

Ordered received, filed and published.

By Ald. Mandeville—Petition of Asa S. Jaynes in regard to erroneous assessments. Referred to the Assessment Committee.

By Ald. Vay—Resolved that G. Rosenthal and L. N. Hoag have permission to erect and remove wood buildings in accordance with their several petitions under the direction of the Wood Building Committee and Fire Marshal. Adopted.

FINANCE BUDGET.

ROCHESTER, N. Y., March 23, 1880.

By Ald. FitzSimons—Resolved, That the Treasurer pay as follows, when there are funds applicable,

CONTINGENT FUND.

Herald Printing Company, printing notices..\$	123 70
F. X. Massey, hackhire.....	10 00
L. C. Tower, stationery.....	5 55
Wm. I. Hanford, serving notices.....	2 58
Wm. Coughlin, lumber.....	10 13
Union and Advertiser, printing proceedings to April 1, 1880.....	675 00
Express Printing Co., printing proceedings to April 1, 1880.....	550 00
Rochester Printing Co., printing proceedings to April 1, 1880.....	510 00
Rochester Volksblatt, printing proceedings to April 1, 1880.....	175 00
Rochester Beobachter, printing proceedings to April 1, 1880.....	175 00
Rochester Star, printing proceedings to March 1, 1880.....	25 00
Rochester Star, printing proceedings to April 1, 1880.....	25 00
Omer Binney, services.....	97 65
And charge that fund.....	

POOR DEPARTMENT FUND.

P. Fahy, meat.....\$	125 00
A. H. Cork, groceries.....	19 00
C. E. Woodward, groceries.....	3 00
Hoffman & Maier, burials.....	85 00
J. Schutte, Overseer's disbursements.....	69 15
Bulkley & Co., groceries.....	12 00
F. J. Amsden, transportation.....	5 00
Geo. F. Merz, flour and meal.....	171 25
John Hahn, meat.....	125 00
John Hart, shoes.....	59 20
S. Wheeler, rent.....	8 00
L. A. Wheeler, meat.....	100 00
And charge that fund.....	

CITY PROPERTY FUND.

Howe & Snyder, labor and material.....\$	57 20
John B. Brady, painting City Hall and Front Street Building.....	51 68
Woodbury, Booth & Fryor, repairing boiler...	4 03
F. J. Irwin, expenditures for month of March and charge that fund.....	82 45

LAMP DEPARTMENT FUND.

Howe & Snyder, lamp cocks, burners and tips \$	104 62
And charge that fund.....	

POLICE DEPARTMENT FUND.

S. A. Pierce, medical services.....\$	20 00
Spencer & Stalker, plumbing and material....	60 33
B. F. Enos, expenses Police Department Feb. and charge that fund.....	68 79

EXECUTIVE BOARD, OF THE CITY OF ROCHESTER, }
ROCHESTER, March 22, 1880. }

To the Common Council:

The annexed accounts have been duly examined, audited and settled by the Executive Board, and are by resolution of said Board hereby certified to the Common Council for payment, under the provisions of Section 143 of the City Charter. Respectfully,

THOS. J. NEVILLE, Clerk.

Water Works Department.

Wm. Moran, tin ware and repairs.....\$	9 88
Thos. J. Neville, office disbursements.....	7 74
H. H. Rowley & Co., view of Rochester.....	4 00
A. M. Sempie, oil.....	15 90
B. F. Blackall, disbursements.....	1 30
Wm. H. Cheney, erroneous assessment on St. Paul street property.....	22 26

National Telephone Co., rent of instruments..	50 00
A. H. Kassal, board of horses.....	40 00
Rochester Tel. Ex., instruments.....	31 50
	\$182 58

Fire Department.

C. Metz, corn and oats.....\$	2 45
E. Enrich, repairs.....	50
Water Works Department, for service work..	15 47
L. Edelman, coal.....	5 00
Wray & Elwood, labor and material.....	1 00
Geo. W. Aldridge, labor and material.....	200 00
A. Zornow, oats.....	22 55
Adam Junaman, oats.....	44 10
B. F. Blackall, disbursements.....	17 07
Pay Roll, Fire Department.....	2,227 96
Upton's Livery, horse.....	1 50
Thos. J. Neville, disbursements.....	4 15
John B. Snyder, stoves, &c.....	83 93
C. H. Bidwell, hay.....	56 03
Smith & Oberst, repairs, &c.....	50 21
	\$2,681 92

Salary and Expense Department.

C. C. Woodworth, salary for March, 1880.....\$	166 66
F. P. Kavanagh, salary for March, 1880.....	166 67
F. C. Lauer, Jr., salary for March, 1880.....	166 67
V. Fleckenstein, salary for March, 1880.....	166 67
Union and Advertiser Co., daily paper.....	1 80
A. K. Tower & Co., stationery.....	4 88
F. P. Allen & Co., rubber stamps.....	3 00
	\$675 95

Street Department.

Catharine D. Jones, rent of yard on Erie Canal.....\$	50 00
George B. Harris, disbursements in Street Department.....	11 19
Wm. Moran, tin work.....	1 45
Wray & Elwood, keys.....	59
H. A. Kingsley & Co., nails.....	5 60
	\$68 74

Local Improvement Department.

Union and Advertiser Co., specifications for Exchange street sewer.....\$	10 00
Benjamin F. Butler.....	12 00
	\$22 00

The Finance Budget was adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

By Ald. Warren—

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

GENTLEMEN—Your Assessment Committee report the following resolutions and recommend their adoption:

Resolved, That the Treasurer cancel the tax assessments on his books against the heirs of Mary Dowling on receipt of \$528.67.

Resolved, That the Treasurer receive from the executors of the late James Sullivan the amount of the tax assessed against the estate of James Sullivan, with 7 per cent. interest, and cancel the balance on his books.

Resolved, That upon the payment into the Treasury of \$9.37, the amount of the general city taxes for 1864 and 1867 on lots 47 and 48 Thurber tract, the City Treasurer cancel the said taxes and the tax roll therefor.

Your Committee report adversely on the petition of Charles Powell & Son, for remission of a tax.

Resolved, That the Treasurer receive in full from Simon Kluske \$31.11 for tax and interest at 7 per cent. on lot 98 Lowell st., Galusha tract.

Resolved, That the Treasurer receive from Fanny A. Robbins the amount of the tax for 102 feet on Lake avenue, lot 45, assessed against the same, at 7 per cent. interest, and cancel the balance on his books. Adopted.

COMMUNICATIONS FROM THE MAYOR AND OTHER
EXECUTIVE OFFICERS.

By the Clerk—
OFFICE OF THE EXECUTIVE BOARD, }
ROCHESTER, March 23, 1880. }

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

At a meeting of the Executive Board, held
Monday, March 22d, the following resolutions
were adopted :

By Mr. Fleckenstein—Resolved, That the
Common Council be requested to pass an ordi-
nance for the improvement of Exchange st.,
from West Main st. to Spring st., by the con-
struction of a Medina stone pavement.
Adopted.

By Mr. Lauer—Resolved, That the Common
Council pass an ordinance for the improvement
of Draper st., by the construction of a stone
sidewalk from Concord avenue one hundred
and ten feet on the north side of said Draper
st. Adopted.

A true copy from the minutes.

THOMAS J. NEVILLE, Clerk.

Referred to the Improvement Committee.

By the Clerk—

To the Honorable the Common Council :

GENTLEMEN : The Board of Health respect-
fully represent that at the time of fixing the
general appropriation for the Board of Health
the sum of \$12,000 was named as the amount
necessary to take the Board through the year,
and that only with rigid economy. The Coun-
cil fixed the sum to be raised at \$8,000. We
now find that at the date of this communica-
tion the fund stands credited with \$296.86.
The obligations accumulated up to the same
date for salaries of employees for collection of
garbage and sundry miscellaneous bills at out
\$50 of themselves is \$680, leaving an actual de-
ficiency of nearly \$400.

We ask that the Council this evening make
an appropriation of \$1,800 for the purpose of
meeting this deficiency and for the current ex-
pense to the 1st of June, 1880. Unless this is
done we shall be compelled to cease all opera-
tions at once, close Hope Hospital, discharge
the employees and cancel the garbage
contracts.

The new charter, it will be observed, pro-
hibits the Board of Health from incurring any
liabilities beyond the amount appropriated by
the Council. The matter is in your hands, gen-
tlemen. The amount asked for must be ap-
propriated this evening or all further proceed-
ings by the Board of Health suspended. Res-
pectfully submitted, by order of Board of
Health.

CORNELIUS R. PARSONS, President.

EDWARD ANGEVINE, Clerk.
Rochester, March 23, 1880.

By Ald. Mandeville—Resolved, That the
Treasurer make the city's note for \$18.00, get
the same discounted, charge discount to con-
tingent fund and the proceeds of the note to
the health fund.

Ald Warren moved that the matter lie on
the table until the first meeting of the new
Board.

Adopted by the following vote:

Ayes—Ald. FitzSimons, Otis, Warren, He-
bing, Crouch, Chambers, Vay, Wickens,
Knobles, Hart—10.

Nays—Ald. Tracy, Westbury, Chace, Man-
deville, Edelman—5.

CITY CLERK'S OFFICE,

ROCHESTER, N. Y., March 20, 1880. }

To the Honorable the Common Council:
GENTLEMEN—In accordance with section 29 Revised
City Charter, I report the following as having qual-
ified and taken the oath of office:

SUPERVISORS FOR THE TERM OF ONE YEAR.

First Ward—James W. Clark.
Second Ward—James Day.
Third Ward—Frank M. Bottom.
Fourth Ward—James E. Haydon.
Fifth Ward—Conrad Sacanman.
Sixth Ward—Joseph Hoffman.
Seventh Ward—George Heberling.
Eighth Ward—Bernard O'Kane.
Ninth Ward—Martin Joiner.
Tenth Ward—Harry C. Jones.
Eleventh Ward—John Brayer.
Twelfth Ward—Phillip Weider.
Thirteenth Ward—John A. P. Walter.
Fourteenth Ward—Thomas Crane.
Fifteenth Ward—Anthony H. Martin.
Sixteenth Ward—Alexander Button.

ALDERMEN FOR THE TERM OF TWO YEARS.

First Ward—William H. Tracy.
Third Ward—David H. Westbury.
Fifth Ward—Owen F. Fee.
Seventh Ward—Ira L. Otis.
Ninth Ward—Silas D. Walbridge.
Eleventh Ward—John A. Feisinger.
Thirteenth Ward—Lew's Edelman.
Fifteenth Ward—John Miller Kelly.

SCHOOL COMMISSIONERS FOR THE TERM OF TWO YEARS.

First Ward—Henry Bemis.
Third Ward—Thomas McMillan.
Fifth—Franklin B. Hutchinson.
Seventh Ward—Milton Noyes.
Ninth Ward—De Lancy Crittenden.
Twelfth Ward—Charles H. Granger.
Thirteenth Ward—William G. Martens.

CONSTABLES FOR THE TERM OF ONE YEAR.

First Ward—Joseph Ringelstein.
Second Ward—Patrick H. Griffin.
Third Ward—Wm. H. Groot.
Fourth Ward—James Hilley.
Sixth Ward—Paul Engelhardt.
Seventh Ward—C. Edwin Palmer.
Eighth Ward—John Daily.
Ninth Ward—Eben W. Carr.
Tenth Ward—Wm. S. Brown.
Eleventh Ward—Charles W. Weis.
Twelfth Ward—John Dart.
Thirteenth Ward—George Parth.
Fourteenth Ward—John Barry.
Fifteenth Ward—Joseph Hubachek.
Sixteenth Ward—John Barrett.

INSPECTORS OF ELECTION FOR THE TERM OF ONE YEAR.

1st Ward—Edward F. Stillwell and James E. H.
Alexander; J. Irving Durand (appointed).
2d Ward—Henry P. Lyth and Wm. McCarthy.
3d Ward—1st Dis.—Wm. Tanner and Chas. D. Evans.
3d Ward—2d Dis.—Wm. H. Whiting and Wm. R.
Gregory; Philip McConnell (appointed).
4th Ward—W. V. K. Lansing and Horace C. Rose.
5th Ward—1st Dis.—Chauncey B. Doxater and Hen-
ry McDonald; Frank E. Rowe (appointed).
5th Ward—2d Dis.—Geo. H. Truex and Andrew Mil-
ler; James Lynch (appointed).
6th Ward—Edward Englehardt and Chas. Enders.
7th Ward—1st Dis.—James T. Tierney and Wm. Bas-
sett, Jr.
7th Ward—2d Dis.—William I. Hanford and Geo. H.
Brown; William S. Woodruff (appointed).
8th Ward—1st Dis.—George E. Hortle and Edward T.
Turk; Maurice Moynihan (appointed).
8th Ward—2d Dis.—Thomas E. Brannigan and Moses
Furlong.
9th Ward—1st Dis.—Chas. J. Lester and Richard Ben-
nett.
9th Ward—2d Dis.—Chas. Benner and Chas. Hanford.
10th Ward—George W. Leitch and Asa S. Jayne;
Frank J. Brennan (appointed).
11th Ward—1st Dis.—Henry Weber and Edward J.
O'Brien.
11th Ward—2d Dis.—Wm. Bauer and George W. Col-
lins.
12th Ward—1st Dis.—Roswell Woodward and Wm.
Waldert; Thomas Oliver (appointed).
12th Ward—2d Dis.—Joseph McDermott and John B.
Schimmel.
3th Ward—1st Dist.—John Guggelman and Freder-
ick Young, Jr.
13th Ward—2d Dist. Levi L. Lobes and James H.
Moore.
14th Ward—Lewis H. Miller and Thomas Gosnell.
15th Ward—Leonard H. Miller and Thomas Daily.
16th Ward—1st Dist.—James W. Stanley and Chas.
H. Bowen; Robert Aedes, Jr., (appointed).

16th Ward—3d Dist.—Chas. H. Dubbelbeis and Geo. J. Forster.
16th Ward—3d Dist.—John A. Laforce and John B. Shmellink.
Conrad Herzberger—Excise Commissioner.
B. McGarry—Commissioner of Deeds.
John Masters—was reported as not qualifying.
EDWARD ANGLINE, City Clerk.

Ordered received, filed and published.

ACTION ON ORDINANCES.

SPRINKLING PLYMOUTH AVENUE.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling Plymouth avenue from Troup street to Adams street during the season of 1880.

Adopted.

The Surveyor submitted as such estimate, \$130.
By Ald. Wickens—Resolved, That the following improvement is expedient, viz:

The sprinkling of Plymouth avenue from Troup street to Adams street during the season of 1880.

And Whereas, the City Surveyor, under the direction of the Council, has made an estimate of the whole expense thereof, and reported the same at \$130, 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, viz:

One tier of lots on each side of Plymouth avenue from Troup street to Adams street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., Section 165, of the Revised Charter of 1874, of the City of Rochester, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April 6th, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

SOUTH WASHINGTON STREET SPRINKLING.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of sprinkling South Washington street from the Erie canal to Troup street, during the season of 1880.

Adopted.

The Surveyor submitted as such estimate \$208.00.

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

The sprinkling of South Washington street from the Erie canal to Troup street, during the season of 1880.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof, and reported the same at \$208.00, 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, viz:

One tier of lots on each side of South Washington street from the Erie canal to Troup street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII, Section 165 of the Revised Charter of 1874 of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, April 6, 1880, at half-past seven o'clock at the Common Council Chamber, when allegations will be heard.

Adopted.

OPENING AND EXTENDING TRACY PARK.

By Ald. Knobles—Resolved, That the City Surveyor ascertain and report to this Council the expense of opening and extending Tracy Park, from its present westerly terminus to the east line of Alexander street.

Adopted.

The Surveyor submitted as such estimate, \$3,500.

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

The opening and extension of Tracy Park, from its present westerly terminus to the east line of Alexander street, and the territory described necessary to be taken therefore is described as follows: Being a strip of land 27 feet in width, extending from the present westerly terminus of Tracy Park to the east line of Alexander street, and lying south of and adjoining a line drawn direct from the present northwest corner of Tracy Park to the northwest corner of property owned by the N. Y. Baptist Union Seminary Association on Alexander street.

And Whereas, the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$3,500, 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, viz:

One tier of lots on each side of Tracy Park as it now exists from its present westerly terminus to Meigs street, also the property lying north of the proposed street and owned and occupied by the Newell heirs.

And further resolved, That the taxpayers to be assessed for making such improvement may pay their assessments in three equal payments, as follows: One-third of the amount assessed within thirty days after the advertisement of the assessment roll; one-third of the amount within one year from the confirmation of said roll; and the remaining one-third within two years from the confirmation of such roll. On all sums paid prior to the maturity of the said last instalment, a discount will be allowed of seven per cent. per annum.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, April 6th, 1880, at half past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

Ald. Chace presented a remonstrance against the sprinkling of Phelps avenue and moved that the ordinance be indefinitely postponed. Adopted.

FINAL ORDINANCE NO. 2,098.

UNION STREET SPRINKLING.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Union street, from East avenue to Monroe avenue during the season of 1880.

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

The sprinkling of Union street from East avenue to Monroe avenue during the season of 1880.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of land to be benefitted thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$260, which estimate is hereby approved; 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 Union st. from East avenue to Monroe avenue.

On which above described portion of city the expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,099.

SPRINKLING SPRING STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Spring street from Exchange street to Caledonia avenue, during the season of 1880.

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

The sprinkling of Spring street from Exchange street to Caledonia avenue, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefitted thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$266, which estimate is hereby approved; 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 Spring street from Exchange street to Caledonia avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE No. 2,100.

SPRINKLING PARK AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Park avenue from Alexander street to Goodman street during the season of 1880.

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

The sprinkling of Park avenue from Alexander street to Goodman street during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council having made an estimate of such expense, and reported the same at \$208.00, which estimate is hereby approved, 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 Park avenue from Alexander street to Goodman street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15

Ald. Hart moved that the final ordinance for the sprinkling of Lake avenue from the north line of Jones avenue to Sweeting's north line lie on the table until the next regular meeting. Adopted.

FINAL ORDINANCE, NO. 2,101.

SPRINKLING MEIGS STREET.

On motion of Ald. Wickens, 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. Wickens submitted the following:

An ordinance to sprinkle Meigs street from East avenue to Monroe avenue during the season of 1880.

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

The sprinkling of Meigs street from East avenue to Monroe avenue during the season of 1880. And the whole expense shall be defrayed by an assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$286 which estimate was and is hereby approved, 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 Meigs street from East avenue to Monroe avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

FINAL ORDINANCE—NO. 2102.

SPRINKLING FRONT STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Front street from Main street to the N. Y. C. & H. R. RR. Company's Depot, during the season of 1880.

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

The sprinkling of Front street from Main street to the N. Y. C. & H. R. R. Company's Depot, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense and reported the same at \$250, which estimate is hereby approved; 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 Front street, from Main street to the N. Y. C. & H. R. R. Company's Depot.

On which above described portion of the city the expenses of said improvement are hereby ordered to be assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,103.

SPRINKLING STATE STREET.

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

After hearing such allegation from all persons appearing,

Ald. Wickens submitted the following:

An ordinance to sprinkle State street from the N. Y. C. & H. R. R. R. to Main street during the season of 1880.

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

The sprinkling of State street from the N. Y. C. & H. R. R. R. to Main street during the season of 1880.

And the whole expense shall be defrayed by an assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor under the direction of this Council, having made an estimate of such expense, and reported the same at \$312 And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of State street from the N. Y. C. & H. R. R. R. to Main street.

On which above described portion of the City the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

Ald. Chace moved that the vote taken on the ordinance for the sprinkling of Lake avenue, from the north line of Jones avenue to Sweeting's north line, be reconsidered. Adopted.

Ald. Hart in the chair.

FINAL ORDINANCE No. 2,104.

SPRINKLING LAKE AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Lake avenue from the north line of Jones avenue to Sweeting's north line, during the season of 1880.

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

The sprinkling of Lake avenue from the north line of Jones avenue to Sweeting's north line, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council having made an estimate of such expense, and reported the same at \$520, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Lake avenue from the north line of Jones avenue to Sweeting's north line.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

Ald. Chace moved that the ordinance for sprinkling State street from the N. Y. C. & H. R. R. to the north line of Jones avenue lie on the table for two weeks. Adopted.

FINAL ORDINANCE NO. 2,105.

SPRINKLING PLYMOUTH AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:

An ordinance to sprinkle Plymouth avenue from the Erie Canal to Troup street during the season of 1880.

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

The sprinkling of Plymouth avenue from the Erie Canal to Troup street, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$260, which estimate is hereby approved; 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 Plymouth avenue, from the Erie Canal to Troup street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,106.
SPRINKLING EAST AVENUE.

On motion of Ald. Wickens, 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. Wickens submitted the following:
An ordinance to sprinkle East avenue, from East Main street to the east line of Alexander street, during the season of 1880.

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

The sprinkling of East avenue from East Main street to East line of Alexander street, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$465, which estimate is hereby approved; 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 East avenue, from East Main street to east line of Alexander street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

The final ordinance for the sprinkling of North avenue came up. Ald. Edelman presented a remonstrance and moved that the ordinance lie on the table for two weeks. Adopted.

FINAL ORDINANCE NO. 2,107.
SPRINKLING EAST AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:
An ordinance to sprinkle East avenue from the east line of Alexander street to the city line during the season of 1880.

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

The sprinkling of East avenue from the East line of Alexander st. to city line during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby; and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$392, which estimate is hereby approved; 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 East avenue from the east line of Alexander st. to city line.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

Ald. Vay moved that the final ordinance for the sprinkling of Andrews street be postponed two weeks. Adopted.

FINAL ORDINANCE NO. 2,108.
SPRINKLING EAST AND WEST MAIN STREET.

On motion of Ald. Wickens, 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. Wickens submitted the following:
An ordinance to sprinkle East and West Main street, from East avenue to the Erie canal, during the season of 1880.

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

The sprinkling of East and West Main street, from East avenue to the Erie canal, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of land to be benefited thereby, and the City Surveyor, under the direction of this Council, having made an estimate of such expense, and reported the same at \$1,040, which estimate is hereby approved; 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 East and West Main street, from East avenue to the Erie canal.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,109.
SPRINKLING WEST AVENUE.

On motion of Ald. Wickens 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. Wickens submitted the following:
An ordinance to sprinkle West avenue from the Erie canal to York street during the season of 1880.

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

The sprinkling of West avenue from the Erie canal to York street, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon the lots and parcels of lands to be benefited thereby; and the City Surveyor under the direction of this Council, having made an estimate of such expense, and reported the same at \$650.00, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of West avenue from the Erie canal to York street.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

FINAL ORDINANCE NO. 2,110.
SPRINKLING CLINTON STREET.

On motion of Ald. Wickens 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. Wickens submitted the following:
An ordinance to sprinkle Clinton street, from Andrews street to Monroe avenue, during the season of 1880.

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

The sprinkling of Clinton street from Andrews street to Monroe Avenue, during the season of 1880.

And the whole expense shall be defrayed by the assessment upon all the lots and parcels of land to be benefited thereby; and the city surveyor, under the direction of this Council having made an estimate of such expense and reported the same at \$520, which estimate is hereby approved; and the portion of said city which said Common Council deem will be benefited by said improvements is described as follows:

One tier of lots on each side of Clinton st., from Andrews st. to Monroe Avenue.

On which above described portion of the city the expenses of said improvement are hereby ordered assessed.

Adopted by the following vote:

Ayes—Ald. Tracy, Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—15.

Ald. Otis moved that the final ordinance for the sprinkling of Monroe street be postponed for two weeks. Adopted.

Ald. Warren presented the following assessment rolls and moved their confirmation:
Sprinkling Clinton st.

- .. Lake av. from Jones av. north.
- .. East and West Main st. from East av. to Erie canal.
- .. East av. from Goodman st. to city line.
- .. Front st.
- .. Monroe av.
- .. East av. from Main to Alexander.
- .. Union st.
- .. Phelps av.
- .. Park av.
- .. West av. from Erie canal to Yorkst.
- .. North av.
- .. Meigs st.
- .. Plymouth av.
- .. East av. from Alexander st. to Goodman
- .. State st. and Lake av.
- .. Spring st.
- .. State and Exchange st. from N. Y. C. R.R. to Spring st.

Lime street plank walk.
Hudson street improvement.
East Main street flag walk.
Campbell street sewer.

Drayton street plank walk.
Davis street pipe sewer.
Opening street through the Hair property.

Ald. Mandeville presented a petition and moved that the confirmation of the assessment roll of the East Main street improvement lie on table for two weeks. Adopted.

The assessment rolls were then confirmed by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

EXECUTIVE BUSINESS.

Ald. Vay moved that the Board proceed to vote for Inspectors of Election. The following named persons having received the requisite number of votes were declared duly elected:

Frank Febrenbach, Insp. Elec'n, 15th Ward.			
Frank Zink,	13th Ward, 2d dist.		
Bernard Leahm,		1st ..	
Wm. J. Dunny,	12th	2d ..	
N. F. Berna,	11th	1st ..	
Jacob Kolb,		2d ..	
Wm. E. Rosney,	8th	1st ..	
A. C. Bowen,	7th	1st ..	
Chas. Cherrain,	6th		
Irving D. Waite,	4th		

Ald. Westbury moved that the Board proceed to vote for Commissioners of Deeds. Adopted.

The following named persons having received the requisite number of votes were declared duly elected: John Eichelman, James A. Jordan.

By Ald. Chace—Petition of James E. Howes for permission to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Chace—Petition of the Duffy Cider Company for permission to erect a wood building.

Referred to the Wood Building Committee and Fire Marshal.

By Ald. Chambers—

Resolved, That the Sewer Committee of this Board be, and they are hereby authorized to take such such steps as they may deem advisable to obtain from the State authorities the right to construct a sewer in the bed of the Genesee Valley Canal, within the limits of the city of Rochester. Adopted.

By Ald. Crouch—Petition to lay water mains in Goodman street, and moved that the prayer of the petitioners be granted when there funds applicable. Adopted.

By Ald. Hebing—Resolved, That the Clerk draw the usual order on the City Treasurer, payable to C. Henry Amsden or his attorney, for \$140.63, and for such further amount for interest and costs as the City Attorney shall certify to be correct in the suit now pending in the Monroe County Court between the said Amsden and the city, upon his executing a proper release or satisfaction of his claim, to be approved by the City Attorney, and charge the amount to Poor Fund.

Adopted by the following vote:

Ayes—Ald. Fitz Simons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Knobles, Hart—14.

By Ald. Warren—Whereas, Lots Nos. 29 and S pt 30 of Porter's sub-division, St. Paul street, Fifth ward, were assessed for General City Tax for 1879 under one valuation and in one amount, and are now owned by two or more persons, therefore.

Resolved, That the property described in a certificate from the Assessors, dated March 22d, 1880, and

on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such tax upon the payment of \$8.72 with expenses and interest, in pursuance of said certificate.

Adopted,

[COPY.]

CITY ASSESSOR'S OFFICE.
ROCHESTER, N. Y., March 22, 1880. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the City of Rochester, do hereby certify that the following described property was assessed upon the Assessment Rolls for the General City Tax for the year 1879 to Nicholas Devereaux, and is now assessed to James, Owen and John Fee, viz.:

Lot—No. 29 S pt and 3/4 ft. N pt 30, Porter's subn, west side of St. Paul street, Fifth ward, 39 1/2 feet front, 39 1/2 feet rear and 125 feet deep, and that the owners of said property should pay as their portion of General City Tax, 1879, the sum of \$8.72, upon the payment of which, with expenses and interest, they will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
A. M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE.
ROCHESTER, N. Y., March 23d, 1880. }

(A true copy.) GEO. D. WILLIAMS, Treasurer

Adopted.

By Ald. Warren—Whereas, Lot No Part 45, of Original Town lot 45 tract, Lake avenue, Ninth Ward, was assessed for Lake avenue improvement No. 1,523, under one valuation and in one amount, and is now owned by two or more persons, therefore,

Resolved, That the property described in a certificate from the Assessors, dated March 22d, 1880, and on file in the Treasurer's office, a copy of which is attached hereto, be released from the lien of such assessment upon the payment of \$380.50, with expenses and interest, in pursuance of said certificate. Adopted.

[COPY.]

CITY ASSESSOR'S OFFICE.
ROCHESTER, N. Y., March 22d, 1880. }

Geo. D. Williams, Treasurer:

SIR: We, the Assessors of the city of Rochester, do hereby certify that the following described property was assessed upon the assessment rolls for the general city tax for the year 1879, to Loren Baldwin, and is at present assessed to Fanny A. Robbins, viz.:

Part of No. 45, Original Town Lot Tract, east side of Lake avenue, Ninth Ward, 102 feet front, 102 feet rear, and 134 feet deep, and that the owner of said property should pay as her portion of Lake avenue improvement No. 1,523, the sum of \$880.50, upon the payment of which, with expenses and interest, she will be entitled to a release from the lien of the same upon the above described land.

(Signed)

D. MCKAY,
AUGUSTUS M. KOETH,
WM. MAHER,

Assessors.

CITY TREASURER'S OFFICE.
ROCHESTER, N. Y., March 22d, 1880. }

(A true copy.) GEO. D. WILLIAMS, Treasurer.

Adopted.

Ald. Otis moved that the following report be reconsidered. Adopted.

By Ald. Hebing—

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

Your Law Committee to whom was referred the claim of James E. Hayden, for damages alleged to have been sustained by him caused by the construction of an earth embankment or approach to the canal bridge in Averil street, in this city, on the west side of the Erie Canal, would report: That the Committee made a personal inspection of the premises in question and are unanimous in their opinion that whatever damages the petitioner may have or will hereafter sustain by the erection of said embankment, they are of such a slight and insignificant character the Committee feel constrained to report adversely to granting the prayer of the petition. He at first claimed he should be allowed \$1,000 for such alleged damages, but finally concluded to accept \$500 in full therefore. The Committee are of the opinion that the benefits to his property by the

In Common Council, March 30, 1880.

construction of said bridge and embankment are far greater than any injury he has or can by any possibility hereafter sustain. We therefore report adversely to granting the prayer of the petitioner. All of which is respectfully submitted.

HENRY HEBING,
LEWIS EDELMAN,
D. H. WESTBURY,
Committee.

Ald. Otis moved that the report lie upon the table until the next regular meeting. Adopted.
Ald. FitzSimons moved to reconsider the resolution offered by Ald. Chambers in regard to constructing a sewer in the bed of the Genesee Valley canal.

Adopted by the following vote:
Ayes—Ald. FitzSimons, Otis, Warren, Hebing, Mandeville, Vay, Wickens, Knobles—8.
Nays—Ald. Westbury, Crouch, Chambers, Chace, Edelman, Hart—6.

Ald. FitzSimons moved that the resolution be indefinitely postponed.

Ald. Crouch moved that the rule to adjourn at eleven o'clock be suspended.

Lost by the following vote:
Ayes—Ald. Westbury, Warren, Crouch, Chambers, Chace, Hart—6.
Nays—Ald. FitzSimons, Otis, Hebing, Mandeville, Vay, Wickens, Edelman, Knobles—8.

The hour of eleven having arrived the President declared the Board adjourned under the rule.

EDWARD ANGEVINE, City Clerk.

In Common Council, March 25, 1880

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Ayes—Ald. Tracy, FitzSimons, Westbury, Otis, Warren, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Knobles—14.
Absent—Ald. Vay, Hart—2.

By Ald. Edelman:

To the Hon. the Common Council:

GENTLEMEN: Your committee to whom was entrusted the care of the public parks for the year of 1879 and '80, in presenting to you their annual report, would state that they have made several important improvements, among them being the improvement of Jones square, Franklin square and Plymouth park. Your committee congratulate themselves upon the fine condition of the public parks, and call your attention to the fact that they have been both economical and prudent in the expenditure of the funds entrusted to their care.

Balance in fund, March 19, 1879.....	\$933 70
General appropriation.....	1,000 00
Extra appropriation.....	100 00
Receipts from other sources.....	32 76
Total.....	\$2,067 46
Expenditures.....	1,859 35
Balance on hand.....	\$108 11

LOUIS EDELMAN,
C. T. CROUCH,
WM. H. TRACY,
Committee.

Ald. Mandeville moved that the Board adjourn until next Tuesday evening for general business, also to receive reports. Adopted.

EDWARD ANGEVINE, City Clerk.

SPECIAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles, Hart—15.
Absent—Ald. Warren—1.

MAYOR'S OFFICE,
ROCHESTER, N. Y., March 29, 1880. }

Edward Angevine, City Clerk:

Please call a special meeting of the Common Council for Tuesday evening, March 30th, at the Common Council Chamber, for the transaction of general business—as per request of a majority of the Aldermen.

CORNELIUS R. PARSONS, Mayor.

By Ald. Weaver—Petition of the "Duffy Cider Company" for the laying of water pipes.

By Ald. Weaver—Resolved, That the Executive Board be and is hereby authorized and directed to lay a four inch cast iron water main in Moore street, from Lyell street toward the Erie canal for a distance of 550 feet, at a cost of \$450, when there are funds applicable for pipe extension in accordance with the petition of the "Duffy Cider Company." Adopted.

By Ald. Hebing—Petition of James Kerrigan to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Vay—Petition of Peter Hansel to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

By Ald. Vay—Petition of Paul H. Mastin to erect a wood building, and moved that the prayer of the petitioner be granted. Adopted.

ROCHESTER, N. Y., March, 30, 1880.

To the Hon. the Common Council:

GENTLEMEN—I have the honor to inform your honorable body that the undersigned represents a company composed of citizens of the State of New York, which has been organized under the general laws of the State of New York, passed February 16, 1843, and intended for the purpose of manufacturing illuminating gas in the city of Rochester. Said company is known and designated as the Municipal Gas Light Company of the City of Rochester, State of New York; and in pursuance thereof I respectfully make application to your honorable body for permission to open the streets and avenues of said city, for the purpose of laying the mains and conduits to enable our company to accomplish the objects of its organization.

Should your Honorable Body grant us this permission, we will furnish gas to the people of the city of Rochester, of an illuminating power equal to twenty candle light, at a reduction on their bills of at least twenty per cent. less than the present rates now charged by our city gas companies. We will furnish and set the metres, lay the service pipe, and connect the same with the pipes in the buildings free of all cost to the consumers. We claim that our fellow-citizens should have the right and benefit of persistent and well-organized competition, as the only means of obtaining cheaper and better gas. We also respectfully represent that the removal of a large number of gas meters from the houses of gas consumers in this city, indicates a degree of necessity for cheaper and better light by the people that cannot be wisely disregarded by your Honorable Body, and to that end we will give such security and assurance as your Honorable Body may suggest as a guarantee of our good faith, as well as of our ability to maintain a company that will successfully compete with all opposition for the privilege of supplying a cheap and superior quality of gas to the people of Rochester.

The Municipal Gas Light Company of the city of Rochester, by JOHN SCOTT, President.

[COPY.]

THE MUNICIPAL GAS LIGHT COMPANY OF THE CITY OF ROCHESTER, STATE OF NEW YORK.

STATE OF NEW YORK, } ss.
County of Monroe.

These presents are to certify that we, whose names are hereto subscribed, have associated ourselves together in pursuance of the provisions of an act entitled "An Act to authorize the formation of Gas Light Companies, passed February 16, 1843," and of the various acts amendatory thereof, in order to form a company for the purpose of manufacturing and supplying gas for lighting the streets, avenues and highways, and public and private buildings in the city of Rochester, in the county of Monroe and State of New York aforesaid.

First—The company so-formed shall be known and called The Municipal Gas Light Company of the City of Rochester (State of New York).

Second—The object for which said company is to be formed is the manufacturing and supplying gas and vending the same for lighting the streets, avenues and highways, and public and private buildings in the city of Rochester, in the county of Monroe and State of New York.

Third—The amount of capital stock of the said company is to be five hundred thousand dollars, to be divided into five thousand shares of the par value of one hundred dollars each.

Fourth—The existence of said company shall be fifty years.

Fifth—The number of Directors shall be three, namely: John Scott, Ward B. Meeker and Henry S. Jackson, who shall manage the affairs of said company for the first year.

Sixth—The operations of said company are to be carried on in the city of Rochester, county of Monroe, in the State of New York.

In witness whereof the parties aforesaid have hereto set their hands, this twenty-sixth of March, eighteen hundred and eighty.

JOHN SCOTT,
WARD B. MEEKER,
HENRY S. JACKSON.

On this twenty-sixth day of March, one thousand eight hundred and eighty, personally appeared before me John Scott, Ward B. Meeker and Henry S. Jackson, to me severally known to be the individuals described in and who executed the foregoing instrument and severally acknowledged to me that they executed the same for the use and purpose therein mentioned.

(Seal) A. R. JOHNSON,
Notary Public, Kings Co.

Ordered received, filed and published.

By Ald. FitzSimons.—Resolved, That permission be and the same is hereby given to the Municipal Gas Light Company of Rochester N. Y. to lay pipes for conducting gas through the streets, avenues, lanes, alleys and squares in said city, for the period of fifty years, to be subject to the same restrictions as to the mode of laying down such conductors as apply to and govern the other gas light companies in the city of Rochester.

On motion of Ald. FitzSimmons laid upon the table until the next regular meeting.

By Ald. Weaver—

To the Honorable the Common Council:

GENTLEMEN.—Your Water Committee submit the subjoined report in relation to the work done during the past year in the extension of water pipe mains:

In accordance with the provisions of the charter the Common Council inserted in the tax levy for the fiscal year 1879-80 the sum of \$35,000 for water pipe extensions

Your Committee immediately in conjunction with the Water Works and Fire Board examined the various petitions and applications for water pipes in the several streets and visited the localities from which petitions had been received and therefore prepared a list of streets in which your committee recommended water pipes to be laid during the season of 1879.

After receiving the report of your committee and making some additions thereto the Common Council adopted the report.

Immediately after this action of the Council, the Water Works and Fire Board advertised the work and made contracts for materials and for the work of laying the pipe. With all the expedition which could be made, it was impossible to commence the work until about the first of August. And as a result it was not completed until December. It will be observed that a considerable portion of the labor was thus required to be performed during the wet and inclement weather of the autumn and early winter.

Under such circumstances it was impossible to do the work as well as in more favorable weather or to fill back the trenches satisfactorily.

The amount of pipe laid during season is as follows:

668.38	lineal feet 16 inch pipe
325.49	.. .. 12
851.65	.. .. 10
2,593.31	.. .. 8
17,219.03	.. .. 6
23,559.25	.. .. 4
172.31	.. .. 2
561.70	.. .. 1 1/2
639.05	.. .. 1 1/4
293.69	.. .. 1
67.00	.. .. 3/4

46,975.86 Total equal to 8 899-1000 miles.
The number of valves set was 49.
The number of hydrants set was 72.

It is proper to state that a portion of the small sizes of pipe was laid partly at the cost of the pipe extension fund and partly from other sources. That for the sprinkling hydrants from the sprinkling funds and in some cases the excavation for small pipes was done at the expense of private parties.

There is now in the hands of the City Treasurer to the credit of the Water Pipe Extension Fund the sum of \$378.23. There is also a small quantity of Water Works materials left over from last season's work which was paid for out of that fund. The charges against that fund consequent upon the year's work have been fully paid.

The prices of all kinds of materials required to be used in water pipe extensions have advanced 50 per cent. and more from the ruling prices when purchases were made last year, and as a consequence the same appropriation now will not probably lay much more than 60 per cent. of the amount of pipe it would last year, so that a larger appropriation must be made for the coming season or a less number of miles of pipe laid and consequently a less number of new consumers reached.

From what has been previously stated in this report it will be seen how important it is that the amount of the appropriation for Water Pipe Extension Fund should be determined by the Common Council at an early date so that advantage may be taken of the best summer weather in which to the work. Your committee therefore earnestly recommend that the Common Council shall at its first meeting after the reorganization in April next by resolution determine the amount it will insert in the tax levy for pipe extensions and then authorize the Water Works Committee to cause the work to proceed at once.

In case it should be necessary to pay for any material contracted for or work done previous to the adoption of the tax levy in June, the Common Council has power under Section 81 of the revised Charter to raise such an amount as may be necessary on the City's note as a de-

iciency in the last year's appropriation and and repay it from the amount appropriated by the tax levy of the present year. By this plan the work may be commenced at least two months earlier than usual and all completed and the streets put in order during the summer weather. Your committee respectfully recommend as the amount to be appropriated for water pipe extension for the season the sum of \$35,000.

All of which is respectfully submitted.

D. G. WEAVER,
C. T. CROUCH,
GEO. CHAMBERS,

Water Works Committee.

By Ald. Weaver—

Resolved, That the Charter Amendment Committee be and are hereby requested to prepare an amendment to the charter, conferring upon the Common Council power to enforce any ordinance passed by said Council, directing a change in the numbering of residences, or places of business, or any street in this city when, in the opinion of the Common Council, such changes or alterations seem to be demanded by public convenience and interest, and further

Resolved, That such amendment so prepared be forwarded by said committee to our representative in the legislature with the request that he will use his best exertions to secure its speedy passage by that body.

Adopted.

By Ald. Tracy—Bills of

R. R. Gay, lighting, &c., March \$ 652 08
Citizens Gas Co., miscellaneous 10 65

Referred to Finance Committee.

By Ald. Chambers—Bills of

J. F. Schafer and F. M. Enos, serving tax notices \$ 342 00
George Williams, expenses in office 200 00
A. G. Wheeler, disbursements 88 10
J. B. Perkins, expenses, &c. 232 56

Referred to Finance Committee.

By Ald. Tracy—

To the Hon. Common Council :

GENTLEMEN—The Lamp Committee present the following abstract from the Treasurer's books for the year ending March 20, 1880:

By balance March 20, 1879 \$11,258 23
By general taxes 55,240 00
By city notes 5,000 00
By City Clerk 5 00

To expenditures \$71,508 23

Balance \$ 497 29

WILLIAM H. TRACY,
LYMAN M. OTIS,
LEWIS EDELMAN,
Committee.

To the Hon. Common Council :

GENTLEMEN—The City Property Committee respectfully submit this their annual report, showing receipts and expenditures :

By balance March 20, 1877 \$1,024 79
By general taxes 5,000 00
By received for rent 620 86
By sundries 21 00

To expenditures \$6,666 65

Balance \$5,133 55

Respectfully submitted.

W. MANDEVILLE,
J. J. HART,
HENRY HEBING,

Committee.

Of work done and of the present needs and condition of the city property on North st. Paul street, now occupied by the institution for Deaf Mutes. Report made and presented March 24th by Z. D. Westervelt, Principal W. N. Y. Inst. for D. M. Work reported, see bill presented Property Committee March, 1879:

Permanent improvements to property made by the Institution at its own expense \$5,936 19
Ordered by the City Property Committee 400 54
Paid as balance of rent 100 00

In addition to the above the following work has been done:

An addition has been built to the barn 18x24 ft., and repairs made in the barn, laundry and in many parts of the house. A stone walk has been laid from the gate around the north side of the house 133 feet. Work done by P. Pitkin and our own men. We have painted 1200 square yards, being the outside of all the frame buildings; repaired the bins and outside wood-work of the laundry (old "hotel.") We have painted 3500 square feet of floors, being the floors of several of the public rooms and halls; three and four coats were put on. The wood-work in many of the rooms has been repaired. Old or leaky bath tubs were removed from the third floor and new ones substituted; also on the second and first floors in the officers' bath rooms, new tubs have been placed. The plumbing has been put in some places, and is all in good order. This has been done at considerable expense, and we think has prevented the recurrence of floods which used to be caused by the old tubs in spite of every precaution. In the basement of the school house a nice room has been "one off" and prepared for tubs for a bath room for boys. Four water closets have been put in for the convenience of the pupils with sewer connections with sewer, water supply and ventilation flues. The boys' privy, built at considerable cost by the city, was greatly complained of. We removed all that was objectionable and use the building for a shop. Near it we have built an earth closet of frame on stone foundation, with a urinal supplied with running water. A portico or storm house has been built over the boys' entrance, store closets in sewing room, commodious closets in the third floor. 110 feet of 1 1/2 inch iron pipe has been set up with hose attachments on each floor in the frame building, for use in case of fire. This is in addition to the fire hose and pipe in main building. The whole of this has been done at an expense to the institution of \$2,214 00. 2 214 00 of which the greater part is permanent improvement.

The following work we were directed to do through Mr. Angevine, City Clerk, at your order:

200 yards of excavating, removing an old 12-inch cement sewer (5 ft. deep, 4 ft. wide, 90 ft. long) laid under basement floor; 70 feet of trench 2x2 for the removal of lateral sewers, refilled. Four and six men worked for over two weeks at this job, besides the labor of carpenter and engineer, who bossed the work and helped 60 00
Replacing floors torn up to get at sewers 5 90
80 feet of 4-inch soil pipe, 2c 26 00
20 " " " " double heavy, 3c 6 40
1 all earthen Jennings closet, to replace one which was offensive 35 00
Elbows branches and Ts, as per bill Sherlock & Sloan 8 57
30 feet of 2-inch soil pipe on hand; no charge

Plumber's labor 5 days, man and helper, \$3.....	15 00	
Balance of rent due.....	\$156 87	\$156 87
During the two years the institution has occupied it has brought to the city either indirectly in the improvement of property or directly in rent.		843 87
Ordered received, filed and published.		\$9,150 73
OVERSEER OF THE POOR'S OFFICE, ROCHESTER, March 30th, 1880. }		

To the Common Council of the City of Rochester :

GENTLEMEN : Your Committee on Support and Relief the Poor would respectfully present the following as their annual report for the year ending April 1st, 1880 :

RECEIPTS.

Merchandise on hand March 23d, 1879.....	\$ 910 87
Wood.....	31 85
Coal.....	700 00
Annual appropriation.....	40,000 00
Special.....	12,000 00
Received from Towns.....	1,531 84
.. .. Excise Board.....	19,637 60
.. .. Overseer.....	315 00
.. .. Police Clerk.....	786 45
.. .. Rent of coal yard.....	25 00
Balance on hand March 24th, 1878.....	9,994 66
Total receipts.....	\$85,952 27

EXPENDITURES

Paid St. Mary's Hospital.....	\$18,928 82
City Hospital.....	4,776 04
Industrial School.....	1,726 96
Church Home.....	875 25
Rochester Orphan Asylum.....	3,156, 60
St. Patrick's Orphan Asylum.....	2,882 18
St. Mary's Orphan Asylum.....	3,873 36
St. Joseph's Orphan Asylum.....	3,604 33
Home for Friendless.....	448 00
Home of Industry.....	680 54
Paidfor bread and crackers.....	\$85,882 03
meat.....	5,190 62
groceries.....	5,941 95
soap and candles.....	3,790 45
flour and meal.....	841 45
shoes.....	2,573 20
undertakers' services.....	2,217 50
transportation.....	1,098 50
Overseer's disbursements.....	877 41
books, stationery, wrapping paper, &c.....	825 01
rent of coal yard.....	95 99
rent for sundry persons.....	437 50
delivering coal and wood.....	74 25
salaries Overseer, clerks, &c.....	609 50
salaries City Physicians.....	3,444 96
salaries Excise Commissioners and clerk.....	3,000 29
sundries for Excise Commissioners.....	2,383 48
coal.....	293 31
wood.....	3,000 00
medicine.....	204 97
dry goods.....	30 35
clothing.....	62 00
ice for office.....	5 50
repairs to stoves, &c.....	10 00
sundry expenses.....	20 00
20 13	
<i>Add outstanding bills.</i>	
Due to charitable institutions.....	\$9,145 81
Due for bread.....	81 07
meat.....	975 00
groceries.....	209 09
soap and candles.....	40 00
Due to undertakers.....	349 00
Due for flour and meal.....	215 35
shoes.....	51 10
transportation.....	55 97
medicine.....	21 70
dry goods.....	15 00
wrapping paper.....	29 37
	11,187 06
Total expenses.....	\$88,566 01

From the above should be deducted the following amounts :
 Amount paid outstanding bills from last year.....\$13,406 75
 Relief furnished towns..... 1,050 18
 Coal paid for, but not delivered..... 939 08
 Wood on hand..... 10 06
 Merchandise on hand as per inventory..... 1,038 01
 16,444 08
 Making the total cost for the support and relief of the city poor, for the year ending April 1st, 1880..... 67,121 93

Your Committee deem it proper, before closing their report, to submit for the information of your Honorable Body, that there is still due to the city from C. H. Babcock. 572 tons chestnut, at \$3.00 per ton, and 308½ tons stove coal, at \$3.04 per ton, and on which there has been paid \$939,08, the balance to be paid on or before the first day of May next. All of which is respectfully submitted.

C. T. CROUCH,
 WILLIAM H. TRACY,
 D. G. WEAVER,
 J. J. HART,
 J. W. KNOBLES,
 Committee.

Ordered received, filed and published.
 By Ald. Chambers—

To the Common Council :

GENTLEMEN : The Contingent Expense Committee present this their annual report, showing balance to credit of the fund, March 20th, 1880, also the disbursements from the fund since April 1st, 1879, to date :

By general taxes.....	\$40,000 00
By licenses.....	615 00
By Municipal Court.....	3,673 50
By interest.....	1,388 55
By City Clerk.....	15 00
By warrant account.....	10,302 66
By surplus general tax 1878.....	6 36
By interest on assessments.....	33,227 53
By sundries.....	351 41
	\$78,930 00
To charges.....	65,871 75
Balance.....	\$13,108 25

GEO. CHAMBERS,
 C. T. CROUCH,
 HENRY HEBING.

Ordered received, filed and published.

By Ald. Edelman—

To the Hon. Common Council :

GENTLEMEN : The Commissioners of Mount Hope, in submitting their annual report, point with pride to the financial condition of the Cemetery, which is free from debt, the mortgage of \$5,000 of last year having been paid. We also speak with satisfaction of the increasing interest taken by all classes in this City of the Dead, and that our efforts in beautifying and adorning it meet with the approval of the lot owners and of those whose dead are buried there. To the Superintendent, George D. Stilson, great credit is due for the systematic manner and good taste in which he directs the management of affairs.

Respectfully submitted,
 NEWELL A. STONE,
 FREDERICK COOK,
 GEO. H. THOMPSON,
 Commissioners.

REPORT OF MT. HOPE COMMISSIONERS.

STATEMENT OF RECEIPTS TO MARCH 5, 1880.

To balances:	
General fund.....	\$5,616 96
Repair fund.....	5,151 47
Perpetual contracts.....	4,166 00
	\$14,924 43

To receipts during year as follows:	
Interest on bank accounts	\$550 81
Lots sold	7,434 16
Interments	2,598 00
Single graves	560 00
Vault fees	404 00
Pasture	54 50
Rent	392 00
Removals	351 50
Sodding and repairs	4,388 66
Perpetual contracts	434 15
	\$32,472 21
Contra:	
By Superintendent's pay rolls	\$11,406 05
By insurance on perpetual contracts paid to Superintendent to be expended on lots as per contracts	212 03
By interest paid on mortgage	157 34
By mortgage paid	5,000 00
By cash in Mechanics Savings Bank	
General fund	\$4,230 46
Repair fund	6,926 18
Perpetual contracts	4,510 15
	\$15,696 79
	\$32,472 21

Ordered received, filed and published.

By Ald. Otis—

To the Common Council of the city of Rochester:

GENTLEMEN: The Health Committee report the following disbursements from their fund from April 1st, 1879, also receipts and balance on hand March 20th, 1880:

By balance March 20, 1879	\$2,207 61
By general taxes	3,000 00
By City Clerk	16 66
By flushing sewers	35 00
	\$10,260 27
To charges	9,968 39
	\$296 88

LYMAN M. OTIS, Committee.

Ordered received, filed and published.

By Ald. FitzSimons—

CITY TREASURER'S OFFICE,
ROCHESTER, N. Y., March 25, 1880.

To the Common Council of the City of Rochester:

GENTLEMEN—I present herewith my annual report to March 16th, 1880.

Yours respectfully,

GEORGE D. WILLIAMS, Treas.

[The report will appear hereafter.]

By Ald. Weaver—Petition for a sewer in North avenue. Referred to the Sewer Committee, with instructions to bring in an ordinance therefor.

By the Clerk—

DEPARTMENT OF PUBLIC INSTRUCTION,
OFFICE OF SUP'T OF PUBLIC SCHOOLS,
ROCHESTER, March 31, 1880.

In Board of Education.

Adjourned regular meeting, March 29, 1880.

Extract from proceedings:

By Com. Brown—

Whereas, This Board, at a regular meeting, February 16, 1880, did certify to and request the Honorable Common Council to recommend to the State Legislature the adoption of an amendment to the city charter, permitting the Common Council of the city of Rochester, in their discretion, to appropriate and raise the sum of \$10,000 for the "repair fund" of the Board of Education of said city; and

Whereas, The Common Council has not as yet recommended such amendment; therefore,

Resolved, That the Common Council be respectfully requested to recommend to the Legislature the passage of said amendment.

Adopted. A. L. MABBETT, Clerk.

Referred to the Charter Amendment Committee, to report at the next regular meeting.

CHAP. 14.

AN ACT to further amend chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city.

Passed February 19, 1880; three-fifths being present. *The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Chapter one hundred and forty-three of the laws of eighteen hundred and sixty-one entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," is hereby amended so as to read as follows:

TITLE I.

BOUNDARIES AND CIVIL BOUNDARIES.

§ 1. The inhabitants of that portion of the territory of this state, heretofore known as the city of Rochester, shall continue to be a body politic and corporate, by the name of "The City of Rochester," with the powers and privileges conferred by the statutes of this state upon corporations as well as those conferred by this the charter of said city.

§ 2. The boundaries of said city shall be as follows:

Beginning at a point in the present town of Irondequoit, at a point in the middle of the Hedge road, thence north and seventy-five links distant, and easterly from the top of the east high bank of the Genesee river; thence south fifteen minutes east to the south line of the highway, known as Norton street; thence easterly along the south line of said highway (or Norton street) to the highway running south-easterly through the north-easterly corner of lot number forty-eight in said town; thence south-easterly along the south-westerly line of said highway to the south line of lot number fifty in said town, where the same intersects the west line of the highway, commonly called the Culver road; thence southerly along the west line of said highway (or Culver road) to the north line of University avenue; thence easterly on a line in continuation of the north line of said University avenue, to the east line of the Culver road; thence southerly along the east line of the Culver road, and in said line continued, to the south line of the highway known as East avenue; thence westerly along the southerly line of East avenue to the west line of the Culver road; thence southerly along the west line of the Culver road, and in said line produced, to the north line of town lot number forty-five of the town of Brighton; thence westerly along the north line of said town lot number forty-five, and of town lot number fifty-three to the north-east corner of lot number sixty-one; thence southerly along the east line of said lot number sixty-one to the intersection thereof with the south line of what was formerly called the Pinnacle road, but now called Highland avenue; thence westerly along the south line of said Highland avenue, to the east line of the highway known as South avenue; thence southerly along the east line of said South avenue to the north line of what was formerly known as the Poor-house road, but now called Elmwood avenue; thence westerly along the north line of said Elmwood avenue, and on said line produced, to the west bank of the Genesee river; thence northerly along the west bank of said river to the south line of the town of Gates, to a point on the south line of lot forty-six in said town, which would intersect the east line of lots seventy-six and one hundred and sixty-eight in said town of Gates, if produced southerly to the south line of the said town; thence northerly on the east line of lots seventy-five, seventy-six and one hundred and sixty-eight produced to the south line of lot number twenty-two in said town; thence westerly on the south line of said lot number twenty-two to the east line of the highway known as the Thurston road; thence northerly on the east line of said highway to the north line of lot number twenty-two; thence easterly on the north line of said lot number twenty-two to a point intersected by the east line of lot number one hundred and sixty-eight produced southerly to the south line of lot number twenty-two; thence northerly on the east line of said lot number one hundred and sixty-eight produced south, to the east line of lot number one hundred and sixty-eight, seventy-six, seventy-five, seventy-four and seventy-three, in the town of Gates, and continued on the east line of lots seventy-two, seventy-one and seventy, in the town of Greece, to a point twenty rods north of the center of the highway

in the town of Greece, known as the Big Ridge road; thence easterly in a line parallel with the center of said road and ten rods distant northerly therefrom and on said line produced to the top of the east high bank of the Genesee river; thence southerly along the top of said bank to a point due west from the place of beginning; thence easterly to the place of beginning.

§ 3. The inhabitants of said city shall be a corporation by the name of The City of Rochester, and may sue and be sued, complain and defend in any court, make and use a common seal and alter it at pleasure, and may receive by gift, grant, devise, bequest or purchase, and hold and convey such real and personal estate as the purposes of the corporation may require, whether such real estate be situated within or without the limits of said city; and such real estate may be incumbered by mortgage, as the common council shall direct, subject only to the approval of the mayor, according to the provisions of this charter in relation to acts of the common council of a legislative character. But no real estate shall be so received without the limits of the city, unless it be adjacent to the city, except as otherwise provided. The jurisdiction of said city shall extend to and over all real estate so received, and all laws relating to the said city, and all rules, regulations and ordinances of said city shall apply to such real estate as fully as if the same were situated within the city limits. But nothing in this section shall impair or limit any powers conferred upon the executive board of the said city, or the purchase of any real estate for or in connection with the water-works of the said city.

§ 4. The said city shall be divided into sixteen wards, as follows:

FIRST WARD.

All that part of the said city included within a line beginning at a point in the center of the Genesee river and of the Erie canal; thence running westerly along the center of the Erie canal to the center of Allen street; thence easterly along the center of Allen street to the center of State street; thence southerly along the center of State street to the center of Mumford street; thence easterly along the center of Mumford street to the center of the Genesee river; thence southerly along the center of the Genesee river to the place of beginning, shall constitute the first ward.

SECOND WARD.

All that part of the said city included within a line beginning at the center of the Genesee river and of Mumford street; thence running westerly along the center of Mumford street to the center of State street; thence northerly along the center of State street to the center of Allen street; thence westerly along the center of Allen street to the center of the Erie canal; thence northerly along the center of the Erie canal to the center of Jay street; thence easterly along the center of Jay street to the center line thereof continued easterly to the center of the Genesee river; thence southerly along the center of the Genesee river to the place of beginning, shall constitute the second ward.

THIRD WARD.

All that part of said city included within a line beginning at a point in the center of the Genesee river and of the Erie canal; thence running westerly along the center of the Erie canal to the center of the Genesee Valley canal; thence southerly along the center of the Genesee Valley canal to the south line of the Strong tract; thence along the south line of the Strong tract to the center of the Genesee river; thence northerly along the center of the Genesee river to the place of beginning, shall constitute the third ward.

FOURTH WARD.

All that part of said city included within a line beginning at a point in the center of the Genesee river and of East Main street; thence running easterly along the center of East Main street to the center of East avenue; thence easterly along the center of East avenue to the center of William street; thence southerly along the center of William street to the center of Howell street; thence westerly along the center of Howell street, and the center line thereof continued westerly to the center of the Genesee river; thence northerly along the center of the Genesee river to the place of beginning, shall constitute the fourth ward.

FIFTH WARD.

All that part of the said city included within a line beginning at a point in the center of East Main street and of the Genesee river; thence running northerly along the center of the Genesee river to the north boundary of the city; thence easterly and southerly along the boundary line of the city to the center of Clinton street; thence southerly along the center of Clinton street to the center of East Main street; thence westerly along the center of East Main street to the place of beginning, shall constitute the fifth ward.

SIXTH WARD.

All that part of the said city included within a line beginning at a point in the center of North street and the New York Central railroad track, running thence westerly along the center of said railroad track to a point in a line with the center of Nassau street; thence westerly along the center of Nassau street and in a direct line continued to the center of Clinton street; thence southerly along the center of Clinton street to the center of East Main street; thence easterly along the center of East Main street to the center of North street; thence northerly along the center of North street to the place of beginning, shall constitute the sixth ward.

SEVENTH WARD.

All that part of the said city included within a line beginning at a point in the center of East avenue and William street; thence running southerly along the center of William street to the center of Howell street, thence westerly along the center of Howell street, and the center line of Howell street continued westerly, to the center of the Erie canal; thence easterly along the center of the Erie canal to the east boundary line of the city; thence northerly along the boundary line of the city to the center of East avenue; thence westerly along the center of East avenue to the place of beginning, shall constitute the seventh ward.

EIGHTH WARD.

All that part of the said city included within a line beginning at a point in the center of Brown street and of the Erie canal; thence running southerly along the center of the Erie canal to the center of the Genesee Valley canal; thence southerly along the center of the Genesee Valley canal to the south line of the Strong tract; thence easterly along the south line of the Strong tract to the center of the Genesee river; thence southerly along the center of the Genesee river to the south boundary line of the city; thence westerly and northerly along the boundary line of the city to the center of West Main street; thence easterly along the center of West Main street to the center of Brown street; thence easterly along the center of Brown street to the place of beginning, shall constitute the eighth ward.

NINTH WARD.

All that part of the said city included within a line beginning at a point in the center of Jay street and the Erie canal, and running thence easterly along the center of Jay street and Jay street continued to the center of the Genesee river; thence northerly in the center of the Genesee river to the north boundary of the city; thence westerly and southerly along the boundary of the city to the center of the Erie canal; thence southeasterly along the center of the Erie canal to the place of beginning, shall constitute the ninth ward.

TENTH WARD.

All that part of the said city included within a line beginning at a point in the center of East Main and North streets; thence running easterly along the center of East Main street and East avenue to the east boundary line of the city; thence southerly along the center of East Main street to the center of East avenue; thence easterly along the center of East avenue to the center of East Main street; thence westerly along the center of East Main street to the place of beginning, shall constitute the tenth ward.

ELEVENTH WARD.

All that part of the said city included within a line beginning at a point in the center of Brown street and the Erie canal, and running thence along the center of the Erie canal northwesterly to the west boundary of the city; thence southerly along the west boundary of the city to the center of West Main street; thence easterly along the center of West Main street easterly to the center of Brown street; thence easterly along the center of Brown street to the place of beginning, shall constitute the eleventh ward.

TWELFTH WARD.

All that part of the said city included within a line beginning at a point where the center line of Howell street continued westerly intersects with the center of the Genesee river; thence running easterly along the center line of Howell street, continued to the center of the Erie canal; thence along the center of the Erie canal to the east boundary of the city; thence southerly and westerly along the boundary of the city to the center of the Genesee river; thence along the center of the Genesee river to the place of beginning, shall constitute the twelfth ward.

THIRTEENTH WARD.

All that part of the said city included within a line beginning at a point in the center of North street and the New York Central railroad track, running thence westerly along the center of the New York Central railroad track to a point in a line with the center of

Nassau street; thence easterly along the center of Nassau street, and in a direct line continued to the center of said Clinton street; thence northerly along the boundary of the city to the center of North street; thence southerly along the center of North street to the place of beginning, shall constitute the thirteenth ward.

FOURTEENTH WARD.

All that part of the said city included within a line beginning in the center of East Main and North streets; thence running northerly along the center of North street to the boundary line; thence easterly and southerly along the boundary line of the city to a point which would be intersected by continuing the center line of Scio street northerly; thence southerly through the center of Scio street to the center of East Main street; thence westerly along the center of East Main street to the place of beginning, shall constitute the fourteenth ward.

FIFTEENTH WARD.

All that part of the city lying west of the center of the Genesee river, and not included in either of the above described fourteen wards, shall constitute the fifteenth ward.

SIXTEENTH WARD.

All that part of the said city lying east of the center of the Genesee river, and not included in either of the above described fifteen wards, shall constitute the sixteenth ward.

§ 5. Whenever the boundaries of the city are referred to in the above description of wards, the boundaries as they were before the passage of the act entitled "An act to amend the charter of the city of Rochester, and to extend its boundaries," passed May nineteen, eighteen hundred and seventy-four, are intended. And the provisions of the ninth section of that act are hereby continued in force, in these words, namely:

The territory taken from the towns of Irondequoit, Brighton, Gates and Greece, and the personal property of the inhabitants thereof now residing thereon, included within the enlarged city boundaries, so long as they shall continue to reside thereon, shall be exempt from the payment of any part of the present city debt, which was contracted for bounties for soldiers or for the relief of soldiers' families, or for the construction of water-works, or which may hereafter be contracted for the construction or completion of water-works or any interest that may accrue thereon under and by virtue of chapter three hundred and eighty-seven of the laws of eighteen hundred and seventy-two, or for the expenses of lighting the city, or for the debts embraced in what are known as the "deficiency bonds" of the city. Whenever, however, a majority of the tax-payers on a street within the territory so annexed shall petition for the extension of the water mains or lamps upon such street for their benefit, the taxable property and residents on said street shall become jointly liable upon their assessments in said territory with the old territory of said city for such portion of the water debt, if they petition for water mains, as may then remain unpaid, or if they petition for lights their proportion for lighting said city. And it is hereby further provided that the towns from which the territory hereby annexed to the city of Rochester is taken shall be released from the support of all paupers who are actual residents upon the territory so taken, and they shall thereupon become a charge upon the city of Rochester. The assessors of said city are hereby required to prepare an assessment roll for each of said new wards created by this act, and deliver to the supervisors of said wards for the use of the board of supervisors of Monroe county on or before the first day of October, eighteen hundred and seventy-four.

TITLE II.

ELECTION AND APPOINTMENT OF OFFICERS.

§ 6. The officers of the said city shall be one mayor, one treasurer, three members of the executive board, two judges of the municipal court, one police justice, one supervisor for each ward, one alderman for each ward, one constable for each ward and one commissioner of common schools for each ward; all to be elected by the electors of the city, by ballot, as hereinafter provided; one city clerk, one city attorney, one overseer of the poor, three assessors, one sealer of weights and measures, one city attorney, two police commissioners and one police clerk, to be appointed as hereinafter provided; and such other officers as are by this charter or other law to be elected or appointed.

§ 7. An election shall be held in each ward annually on the Tuesday next after the first Monday in March, at such places as shall be designated by the common council, of which a notice shall be published by the city clerk for at least six days next previous to the election, in all the daily newspapers of the city, at which election there shall be chosen by the electors of the city voting in their respective wards, as often as the terms of office of the then incumbents shall ex-

pire within the year after such election, one mayor, who shall hold his office for two years, one police justice, who shall hold his office for four years, one treasurer, who shall hold his office for two years; and, also, by the electors of each ward, one supervisor, whose term of office shall be the same as that of the supervisors from the towns of Monroe county, and the terms of office of the supervisors now in office in the said city shall end at the same time as the terms of the town supervisors now in office; one constable, who shall hold his office for one year; and, also, in those wards in which the terms of office of the then incumbents shall expire within the ensuing year after such election, one alderman for each ward, who shall hold his office for two years, and one commissioner of common schools, who shall hold his office for two years. The city treasurer shall not be entitled to enter upon his office until he shall have executed and filed with the mayor a bond in the penal sum of fifty thousand dollars, or such other sum as the common council may have fixed, with good and sufficient sureties approved by the mayor in writing thereon, and conditioned for the faithful performance of all his duties as treasurer, and of all duties imposed upon him by law in respect to the money, property and affairs of the said city. The execution of said bond by the treasurer and sureties shall be acknowledged or proved so as to entitle it to be read in evidence, and shall be the duty of the mayor to cause such bond to be recorded in the Monroe county clerk's office; and a copy of such bond as so recorded, certified by the said county clerk, shall be as good evidence in all courts and places as the original bond, which shall be kept safely by the mayor after the same is so recorded.

§ 8. The common council shall meet on the first of April, or after the first Monday thereof, in the year one thousand eight hundred and eighty, and in every second year thereafter, shall appoint one city clerk, one city surveyor, and one overseer of the poor, each of whom shall hold his office until the first Monday of April in the second year after his appointment in April, and until his successor shall have been appointed, and qualified. And whenever a vacancy shall open in either of the said offices mentioned in this section, the common council shall appoint a person to fill such vacancy for the unexpired term. The terms of office of the present city clerk, city surveyor, and overseer of the poor shall expire on the first Monday of April, in the year one thousand eight hundred and eighty, but each shall hold over until his successor shall be appointed and qualified. In the month of May, in the year one thousand eight hundred and eighty, and in every second year thereafter, the common council shall appoint one city attorney, who shall hold his office for two years from and including the first day of June next after his appointment in May, and until his successor shall be appointed and qualified. And in case of a vacancy in such office, the common council shall appoint a person to fill such vacancy for the unexpired term. The term of office of the present police clerk shall terminate on the first Monday of May next after this charter takes effect, but he shall hold over and continue in office until his successor shall be appointed and qualified. And after the tenure of office of the police clerk shall be the same as that of policemen. Every year, on or after the first Monday of April, and before the first day of May, the common council shall appoint, by a concurring vote of two-thirds of all the aldermen, one commissioner of Mount Hope Cemetery (as successor to the commissioner, whose term of office expires that year), who shall hold his office for three years, commencing on the first day of May next after his appointment in April, and the term of office of each of the present commissioners of Mount Hope Cemetery, respectively, shall continue to, and terminate on, the first day of May next after the appointment of his successor. Every vacancy shall be filled for the unexpired term by a like two-third vote of all the aldermen. The common council, in the month of December, every year, shall appoint one assessor, who shall hold his office for three years, from and including the first day of January next after such appointment; in case of a vacancy in the office the common council shall, as soon as practicable, appoint an assessor to fill such vacancy for the unexpired term. In case a vacancy shall occur in the office of any incumbent appointed by the common council for a specified term, such vacancy shall be filled by appointment by the common council for the unexpired term, except as may be otherwise expressly provided by law. The common council shall, from time to time, appoint and at pleasure remove one fire marshal, one sealer of weights and measures, and so many pound masters as it may deem necessary, and each of which officers shall hold his office during the pleasure of the common council.

§ 9. The board of health of said city, authorized under chapter three hundred and twenty-four of laws of eighteen hundred and fifty, shall consist of six per-

sons, besides the mayor, of whom at least two shall be physicians of at least five years' standing, and graduates of a regular medical college. They shall be appointed by the mayor and confirmed by the common council. Of those appointed in eighteen hundred and seventy-six, two shall hold for one, two for two, and two for three years, and thereafter for three years or the balance of any unexpired term. The mayor of the city shall be the ex officio president of said board. Said board of health shall appoint its own health officer, who shall hold office at its pleasure, and shall receive a salary to be fixed by the common council. Such officer must be a graduate of some regular medical college, and a physician of at least five years' standing. Such board of health, in addition to the other powers conferred by law, shall have the power, by a vote of a majority of said board, to cause any person sick of any dangerous, infectious disease to be removed to any proper hospital, when, in its opinion, the public health requires. It shall be an advisory board as to the proper ventilation of public city buildings, and in case any public school or other public city building is in process of erection without proper facilities for ventilation, in the opinion of such board, it may stop the erection of such building until the action of the common council can be had; and the common council shall have power to direct proper facilities for ventilation to be furnished, and to restrain further work until such facilities are furnished. The common council shall elect, by ballot for one year, not less than four nor more than six city physicians, who shall be graduates of some regular medical college and be of at least two years' standing, who shall receive salaries to be fixed by the council, and shall attend, gratuitously, the poor of the city who are unable to hire physicians, and under the direction of the poor committee of the common council.

§ 10. The board of health shall not have any power to make any expenditure or contract any debts or liability in any year beyond the amount raised and appropriated for the board of health for that year; and the provisions of the said general statute, so far as inconsistent with the provisions of this charter, shall not apply to the city of Rochester.

§ 11. The city treasurer, overseer of the poor, and any assessor, may each be removed from office by the common council for official misconduct, or for neglect or unfaithful performance of the duties of his office; but notice of the charges, and an opportunity of being heard in defense, shall first be given.

§ 12. The police department of the city of Rochester shall be under the general control and management of police commissioners thereof, who shall consist of the mayor and two other suitable persons, and constitute a board of police, in the manner following, namely:

1. The said commissioners, besides the mayor, shall consist of Frederick Zimmer, and Jacob Howe, Junior, who, respectively, shall hold office, the said Frederick Zimmer for the term ending on the first day of April, A. D. eighteen hundred and eighty-one, and said Jacob Howe, Junior, for the term ending on the first day of April, A. D. eighteen hundred and eighty-three, unless a vacancy in such office should sooner occur by death, resignation or removal.

2. At the expiration of the said respective terms of office, the full terms thereafter shall be successively of four years each, and within the month of March next preceding the expiration of every term, and whenever any vacancy shall occur in such board (except vacancy in the office of mayor), the common council, by a vote of at least three-fourths of all the aldermen elect, shall appoint, from among the electors of said city, a commissioner or commissioners, as the case may be, to fill the present or impending vacancy, which appointments, respectively shall be for the ensuing term of four years, except in case of appointments to fill vacancy in an unexpired term, when such appointments shall be for the unexpired residue of such unexpired term; and upon specific charges being preferred, to the common council, by a like vote, shall have power to remove from office any such commissioner, except the mayor, after giving to such commissioner a copy of such charges against him, and an opportunity of being heard in his defense; and all such appointments of commissioners of police shall be so made that the two principal political parties shall always be represented by the two appointed commissioners, respectively.

3. Such commissioners and the police clerk severally shall have power to make arrests and serve criminal process within Monroe county, and to enforce the laws of the state relating to the police thereof, in the same cases and in like manner as constables are now authorized by virtue of their office. The said commissioners and clerks shall each have power to issue subpoenas attested in the name of its president to compel the attendance of witnesses upon any proceedings authorized by this act and by said rules and regulations. Each commissioner of police and the clerk of the board of police, is hereby author-^{ed}

and empowered to administer affirmations and oaths to any persons summoned and appearing in any matter or proceeding authorized as aforesaid, or to take any deposition necessary to be made under the rules and regulations of the board of police, or for the purposes of this act, and any willful or corrupt false swearing by any witness or person to any material fact in any necessary proceeding under the said rule, or in proceeding authorized as aforesaid, shall be punished in the manner now prescribed by law for that offense; and in case any person subpoenaed under this section shall fail or refuse to take, when required, the proper oath or affirmation, or to answer any proper question, the commissioner shall then have the same power to compel attendance and punish disobedience as justices of the peace in like cases. And said commissioners and the mayor shall constitute the board of police for said city, of which board the mayor shall be president, and any two members shall form a quorum for the transaction of business, and such board may adopt rules and by-laws for the government thereof, and also may establish, promulgate and enforce proper rules, regulations and orders for the good government and discipline of the whole force, and cause a suitable number of copies thereof to be printed for the use of the department; provided that such rules, regulations or orders shall not conflict with any of the provisions of this act, or with the constitution or laws of this state or the United States.

4. The said commissioners of police, when entering upon the duties of their office respectively, shall take upon themselves the usual oath of office, and shall meet at the mayor's office or other suitable place, at such times as may be expedient, and as they shall from time to time designate, and on special occasions, as the mayor may appoint in writing, notice of which shall be served on such commissioners personally, or be left at the place of residence or business of such commissioners respectively; and if any of said commissioners should be elected to and accept the office of mayor, or if the common council should proceed, as in the case of a vacancy, except in case of re-election of the mayor; and no alderman shall be eligible for appointment to the office of police commissioner, and any commissioner except the mayor, who shall be publicly nominated for, or appointed to, any political office, and shall not within ten days after being notified thereof, publicly decline the same, shall be deemed to have vacated his office of said commissioner. The said commissioners of police, other than the mayor, shall receive an annual salary of five hundred dollars, to be paid quarterly, as part of the current expenses of the police department.

5. For the purpose of providing a permanent and effective police force, it shall be the duty of said board of police, as often as vacancies may occur, to select from among the electors of said city, and unanimously appoint by warrant of appointment, bearing the signature of all three of said commissioners, and to be immediately filed with the city clerk, as to many permanent policemen as they may deem necessary, provided that the members so holding appointment and in service shall not exceed seventy-five at any one time, except as hereinafter otherwise specified, and said board shall, in like manner, also appoint one chief of police, through whom such board may promulgate all rules, regulations and orders to the whole force, and who shall have the immediate direction and control of said force subject, however, at all times to the rules, regulations and orders of said board and to the orders of any member thereof, provided that the orders of such single commissioner do not conflict with the rules, regulations or orders of said board; and when in need, such chief, police clerk, and each policeman appointed in the manner aforesaid shall hold his office during the pleasure of said board of police, but the place of the chief, police clerk, or any policeman may be declared vacant or the incumbent discharged, at any time, by the concurring votes of all the members of the board, and no otherwise, except that the chief, police clerk or any policeman may be removed or discharged for cause by a majority vote of the board, provided charges shall have been preferred against him, and an opportunity afforded him to disprove the same; and in case of a reduction of the number of policemen by order of the common council, at any time, as hereinafter provided, a majority of the police board only shall be necessary to discharge, severally or collectively, a sufficient number to effect such reduction. In case said board, by reason of disagreement or otherwise, should at any time fail to appoint, in the manner above specified, such chief of police or necessary policeman * then a majority of such board may nominate and with the approval of the common council by a concurring vote of at least two-thirds of the aldermen elected, may appoint such chief, police clerk or policeman,* and upon a warrant of appointment thereof duly filed, shall appear the approval of the common council properly certified by the clerk, and

*So in original.

all such appointments shall have the same effect as if made by the unanimous action of the board in the manner hereinbefore provided.

6. The common council may at any time, by a vote of at least three-fourths of the aldermen elected, increase the number of permanent policemen, who shall be appointed in the manner hereinbefore provided; and such common council may also, in case of emergency, from time to time, by the concurring vote of the majority in session, designate a suitable number of additional or temporary policemen, to be appointed in manner above provided, for such time as said common council shall determine, due notice of which shall be immediately given by the clerk to said board of police; and if at any time, by reason of disagreement or otherwise, said police commissioners shall fail to appoint in either manner hereinbefore provided such chief of police, or the number of policemen necessary for the protection and safety of the said city, then the common council, by a vote of at least three-fourths of the aldermen elected, may appoint such chief of police to serve until said commissioners shall have agreed or duly made such appointment in manner hereinbefore provided, notice of which appointment shall be given by the clerk to said common council at the next meeting thereof. And in times of great exigency, admitting of no delay, said commissioners, or any majority of them, or any one of them, if the others should be absent from the city or unable to act, may also appoint, temporarily, without direction from the common council, a suitable number of additional policemen for such time as shall appear necessary, not, however, to extend beyond the time of the next ensuing regular or special meeting of the common council. The common council, by a concurring vote of a majority of all the aldermen may, from time to time, and at any time, without the approval of the mayor, order the number of policemen to be reduced to any number not less than seventy-five; and in such case the board of police commissioners shall have power, and it shall be their duty, within ten days after the adoption of the order by the common council, to discharge so many policemen as shall be necessary to effect such reduction; and if the police commissioners fail so to do the common council, after the expiration of such ten days, shall have power, and it shall be their duty, to discharge so many policemen as will effect the reduction ordered.

7. The mayor or any one of said commissioners, at any time, upon charges being preferred, or upon finding said chief or any other member of the police force guilty of misconduct, shall have power to suspend such member from service until the board of commissioners shall convene and take action in the matter; provided, however, that such member shall not remain so suspended for a longer period than thirty days without an opportunity of being heard in his defense; and upon hearing the proofs in the case a majority of such commissioners may discharge or restore such members in accordance with the decision of the board of commissioners, and the pay or salary of any member shall cease from the time of suspension to the time of restoration to service, unless otherwise ordered by said board of commissioners in their written decision, which shall be filed with the clerk; and any violation of the rules, regulations or orders of the board, or orders of any superior, shall be good cause for dismissal.

8. The salary of said chief, police clerk and policemen shall be determined by the board of police during the month of June in each year. The said board of police, in determining the salaries, shall have reference to the amount of money raised by the common council for police purposes, and the total pay of the said board of police shall have power to change such salary at any time, with the approval of the common council. The police commissioners shall annually, and on the first day of May, report to the common council the amount of money necessary to pay the current expenses of the police department for the ensuing year.

9. The said chief of police, police clerk and every policeman duly appointed as aforesaid, shall have issued to him a warrant of appointment, signed by the president of the board and countersigned by the city clerk, and stating the date of his appointment, which shall be his commission, and he shall take the oath of office and subscribe the same in a book kept for that purpose, and he shall have the same power and authority and duties, and be subject to the same regulations and liabilities as a constable elected in a town, except that the said chief of police and policemen shall not receive nor execute any process in any civil action except the same be issued for a violation of a penal ordinance of said city of Rochester. The said chief of police shall detail one policeman, to be selected by the district attorney of Monroe county, to attend upon each court of oyer and terminer and court of sessions held in and for Monroe county, and such policeman shall be designated,

notified and returned by the sheriff of Monroe county to attend said courts, in the same manner in which constables are now designated, notified and returned by him to attend such courts, and shall be paid in the manner constables are paid by law for such service; but such policeman, during such detail, shall be subject to the orders of the district attorney of Monroe county only. The said chief of police and policemen shall, upon request of the district attorney of Monroe county, serve any criminal process issued by him within the limits of the city of Rochester, and the fees allowed by law therefor shall be paid by the county of Monroe to the treasurer of the city of Rochester.

10. The said chief and policemen shall have power and authority respectively to arrest any person or persons by them found violating any of the penal ordinances or laws of said city, and to take such person or persons before the police justice, or any justice of the peace of said city, to be dealt with in the same manner as if such person or persons had been arrested upon warrant therefor duly issued by such justice; and it shall be the duty of such chief and policemen, respectively, to enforce any and all of the penal ordinances and laws of said city of Rochester. The said chief of police shall, upon the request of the city clerk, detail one or more policemen, whose special duty it shall be to enforce the penal ordinances of said city, relating to all person required to take out licenses, and to report, without delay, to the city attorney, for prosecution, all violations of said ordinances.

11. The police clerk, appointed by the commissioners, shall act as clerk of said board and also as clerk of the police court, and the annual salary of such clerk shall be fixed by the commissioners at a sum not exceeding one thousand dollars. It shall be the duty of such clerk, under the direction of the board of police commissioners, to keep in a book or books to be provided by said board, a full and careful record of all laws, resolutions, orders and other proceedings of said board of police commissioners, and to perform such other clerical duties as shall be required by said board. He shall keep a docket or book in which shall be entered a memorandum of all proceedings issued by the police justice and of all proceedings had under such process; and of all sentences pronounced, and of all fines and penalties imposed by said justice. He shall also keep in a separate book an accurate account of all moneys which shall come to his hands from any source as such police clerk, and of the disposition which shall be made thereof as hereinafter provided.

12. On the day of any election held by virtue of this act, the polls shall be opened in each ward at the several places designated by the common council, at eight o'clock in the morning, and shall be kept open without intermission or adjournment until five o'clock in the afternoon, at which hour they shall be finally closed.

13. Three inspectors of elections for each ward or election in said city shall be elected and appointed in the manner provided by the general statutes of the state in relation to elections other than for militia and town officers, the provisions of which statutes are hereby declared to be applicable to the said city of Rochester, and to the elections to be held thereunder under this act, except so far as they may be inconsistent with the provisions of this act.

14. Inspectors of elections, so elected and appointed as aforesaid, shall be inspectors of elections held in said wards or election districts respectively, as well for the election of state and county as of the city and ward officers. And in case of the death, inability or refusal of any such inspector to act, or of his ceasing to be a resident of the ward or election district for which he was appointed or elected, the common council must thereafter appoint another in his or their place, and file a certificate of such appointment with the city clerk, and the person or persons thus appointed shall be inspector or inspectors for the ward or election district for which he or they was or were so appointed. The whole compensation to be paid by said city to said inspectors and their clerk or clerks, for their services as such, and for all stationery used by them, except for necessary books and blanks, shall not exceed the sum of forty dollars for each election held in such ward or election district.

15. The electors shall vote by ballot, and each person offering to vote shall deliver his ballot, so folded as to conceal the contents, to one of the inspectors in the presence of the board. The ballot shall be a paper ticket, which shall contain written or printed, or partly written and partly printed, the names of the persons for whom the elector intends to vote, and shall designate the office to which each person named is intended by him to be chosen; but no ballot shall contain a greater number of names of persons designated for any office than there are persons to be chosen at the election to fill such office. On the out-

side of each ballot, when folded, there shall appear, written or printed, one of the following words—"wards," "city," but no ballot found in the proper box shall be rejected for want of such indorsement.

§ 17. The ballot indorsed "city" shall contain the names of persons designated as officers for the city. The ballot indorsed "ward," shall contain the names of persons designated as officers for a ward or election on district. The common council shall provide two boxes for each ward or election district, with locks and keys, in which these two kinds of ballots shall be deposited separately.

§ 18. If at any annual election to be held in the said city, there shall be one or more vacancies to be supplied in any office, and at the same time any person is to be elected for the full term of said office, the term for which each person voted for, for the said office, is intended, shall be designated on the ballot.

§ 19. Every person entitled to vote for members of assembly, who shall, for the last thirty days, have been an actual resident of the ward or election district in which he offers his vote, and who is at the time an actual resident of such ward or election district, shall be entitled to vote there, but not elsewhere, for all or any of the officers to be chosen at such election.

§ 20. Immediately after the closing of the polls the inspectors of election shall forthwith, without adjournment, canvass the votes received by them, and declare the result; and shall on the same or next day make a certificate stating the number of votes given for each person for each office, and shall file such statement with the clerk of the city, on election, or the next day, with the clerk of the city.

§ 21. The common council of the preceding year shall convene on the Friday next succeeding such election at two o'clock in the afternoon, at their usual place of meeting; and the statement of votes filed with the clerk of the city by the inspectors of elections shall be produced before the common council, and the council shall forthwith determine and certify, in the manner provided by law, what persons are duly elected at the said election to the several offices respectively. Such certificate shall be made in duplicate, one of which shall be filed with the clerk of the city, and the other with the clerk of the city of Monroe county. All officers elected by the people, according to the provisions of the charter, except supervisors, shall enter upon their respective offices on the first Monday of April next following such election, unless otherwise herein or by law provided. And the period of a year, as applied in this charter to the terms of office and the salaries thereof, shall extend from the first Monday of April in one year to the first Monday in April in the succeeding year, in the cases where the term of office commences on the first Monday of April.

§ 22. If, at any election authorized by this act, any officer, except alderman, shall not have been chosen by reason of two or more candidates having received an equal number of votes, the common council shall, by ballot, elect such officer from the two candidates having the highest number of votes.

§ 23. Whenever a vacancy shall occur in the office of police justice, or of alderman, for any cause, the common council of said city shall appoint a special election to be held in said city, or in the ward for which such alderman was chosen, not less than five days, nor more than fifteen days from the time of such appointment, unless such vacancy shall occur within three months before the Tuesday after the first Monday in March, in any year, and in such case it shall be optional with the common council to order a special election or not, as it shall deem expedient.

§ 24. In case a vacancy shall occur in the office of any of the officers before named, except an alderman or police justice, the common council may, when not otherwise provided, in its discretion, fill such vacancy by the appointment of a suitable person who is an elector, and if appointed for a ward, who is a resident of the ward for which he shall be appointed; and any officer, except supervisor, appointed to fill a vacancy in the office before named, shall hold by virtue of such appointment until the first Monday of April next succeeding, unless otherwise provided. If an elective officer, whose office shall have become vacant, was one of a class, a successor for the unexpired term shall be elected at the next annual election, except as may in any case be expressly provided.

§ 25. Whenever a special election is to be held the common council shall cause to be delivered to the inspectors of election, in the ward and election districts in which such election is to be held, a notice signed by its clerk specifying the officer to be chosen and the day and place in the ward, or at the several wards of said city, at which such election is to be held, and the proceedings at such election shall be as at the annual general election. Such notice shall also be published in all the daily newspapers of the city at least one before such special election. On the Friday succeeding such election the common council of that year shall convene at two o'clock in the afternoon at its usual

place of meeting, and the same proceedings shall then and there be had as prescribed in case of the annual election.

§ 26. Every person elected or appointed to the office of mayor, police justice, city clerk, police clerk, alderman, constable, supervisor, treasurer or commissioner of common schools in the city of Rochester shall, before he enters on the duties of his office, and within five days after being notified of such election or appointment, take the oath of office prescribed by the constitution of the state before any officer authorized to administer oaths or take affidavits and file the same with the city clerk; and said police clerk shall also, within said five days, execute a bond to the city of Rochester in the penalty of five thousand dollars, with two sureties to be approved by the mayor of said city, conditioned faithfully to perform the duties of police clerk, and to pay over the moneys and to make the report hereinafter required, and file the same in the office of the clerk of said city. The city clerk is hereby authorized to administer all oaths and take affidavits and acknowledgments within said city, and to receive the same fees that are allowed to commissioners of deeds for the same services.

§ 27. Every person chosen or appointed by the common council to any office, except officer authorized to administer oaths, shall, before he enters on the duties of his office, and within five days after being notified of his election or appointment, shall cause to be filed in the office of the city clerk a notice in writing signifying his acceptance of such office and take the oath of office prescribed by the constitution of this state before any officer authorized to administer oaths or take affidavits, and file the same with the city clerk.

§ 28. If any person chosen or appointed to any office specified in the last two sections shall not take and subscribe the oath of office and file the same as therein directed, or shall not cause a notice of acceptance to be filed as therein directed, or if required by the common council to execute an official bond or undertaking, shall neglect to execute and file the same in the manner and within the time prescribed by the common council, such neglect shall be deemed a refusal to serve.

§ 29. At the expiration of ten days after any election or appointment of any officer or officers in the said city, the clerk of the said city shall deliver to the common council a list of the persons elected or appointed, and of the offices to which they are chosen, therein specifying such as shall have filed with him the oath of office or notice of acceptance required by law, and such as shall have omitted to file the same within the time herein prescribed.

§ 30. The mayor shall report to the common council the names of such constables and other officers as shall have neglected to give the bond of security required by law.

§ 31. Resignation of any officer authorized to be chosen or appointed by this act shall be made to the common council of the city, subject to their approval and acceptance.

§ 32. The expenses of any election to be held as provided by this act shall be city charges, and defrayed in the same manner as other contingent expenses of the city.

TITLE III.

POWERS AND DUTIES OF THE COMMON COUNCIL.

§ 33. The aldermen of the city shall constitute the common council thereof. The common council shall determine the rules of its proceedings, judge of the qualifications of its members and have power to compel their attendance. It shall meet at such times and places as it shall from time to time designate, or by general or special order provide, and on special occasions as the mayor shall appoint, in writing, a notice of which appointments shall be served on all the members of the common council, personally, or by leaving the same at the place of residence or business of such member as shall not be personally served. A special meeting may be held at any time upon the request of a majority of the aldermen.

§ 34. The common council shall, at its first regular meeting in the month of April in each year, which shall be on the first Monday of April, at three o'clock in the afternoon, or at some other time, select from its members designated by the common council, select from its number and appoint a president for the year, and in case of a vacancy, supply his place. The president shall preside at all the meetings of the common council, and have the right to vote on all questions the same as any other alderman. All motions, resolutions, orders, resolutions and proposals of the said common council, in respect to which the members present and voting shall be equally divided, shall be deemed to be lost. In case of the temporary absence or inability of the president, the common council shall appoint from their number a temporary president.

§ 35. In all the proceedings of the common council each member present and voting shall be deemed to be present and shall be entitled to be present at all the meetings of the common council, but shall have no vote.

§ 36. The sitting of the common council shall be public, except when the public interest shall, in its opinion, require secrecy. The minutes of all proceedings shall be kept by the clerk, and the same shall be open at all times to public inspection. The said board shall prescribe, from time to time, such rules to govern the proceedings as it shall deem advisable.

§ 37. Whenever required by two members, the votes of a majority of the common council, in relation to any act, proceeding or proposition had at any meeting, shall be entered at large on the minutes, and such votes shall also be entered in relation to the adoption of any resolution or ordinance, report of a committee, or other act, for taxing or assessing the citizens of the said city, or involving the appropriation of public moneys.

§ 38. A majority of the common council shall be a quorum for the transaction of business, but no tax or assessment shall be ordered, nor any appointment be made, except by a concurring vote of a majority of all the members of the common council. In every appointment or election to office by the common council, under this charter, including the appointment of the president of the board, the appointment or election shall be made by the aldermen voting orally and severally, and the name of each alderman with his vote, in each case, shall be entered in the minutes of the common council; but this section shall not apply to the appointment of commissioners of deeds, nor in cases where it is otherwise expressly provided by law.

§ 39. No member of the common council shall, during the period for which he was elected, be capable of holding, under the appointment or election of the common council, any office the emoluments of which are paid from the city treasury or paid by fees or compensation directed to be paid by any act or ordinance of the common council, nor shall the mayor or any alderman, or school commissioner, or member of the executive board, or of the board of health be directly or indirectly, interested as principal, surety or otherwise in any contract, the execution or performance whereof is to be paid under any act or ordinance of the common council, or out of the city treasury; but this shall not affect the right to any fees or emoluments belonging to any office.

§ 40. The common council shall have the management and control of the fiscal and financial affairs of said city, and of all property, real and personal, belonging to the city, and may make such orders and by-laws relating to the same as it shall deem proper and necessary; and further, it shall have power to make, modify and repeal such ordinances, by-laws and regulations as it may deem desirable within the said city for the following purposes:

1. To prevent vice and immorality; to preserve public peace and good order; to prevent and quell riots, disturbances and disorderly assemblages.

2. To suppress disorderly, gaming and bawdy houses, instruments and devices used for gaming, billiard tables and bowling alleys, and to punish gaming.

3. To forbid and prevent the vending or the disposition of liquors and intoxicating drinks to be drank in any canal boat, store or other place not duly licensed; and to forbid the selling, or giving to be drank, any intoxicating liquors to any child or young person, without the consent of his or her parents or guardian.

4. To prohibit, restrain and regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money.

5. To direct the location of all slaughter-houses abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow chandler's shop, butcher's, mill, soap factory, tannery, stable, privy, hog-pen, sewer, or other offensive or unwholesome house or place, to cleanse, remove or abate the same whenever it deems it necessary for the health, comfort and convenience of the inhabitants of said city.

6. To direct the location of all buildings for storing gunpowder or other combustible substances, and to regulate the sale and use of gun powder, fire-cracker or fireworks, manufactured or prepared for fireworks, or other combustible materials, the exhibition of fireworks, the discharge of fire-arms, the use of candles and lights in barns, stables and other buildings, and to restrain the making of bon-fires in streets and yards.

7. To prevent the numbering of streets, avenues, walks, public squares, lanes, alleys, bridges, aqueducts, wharves, basins or slips, in any manner whatever.

8. To prevent and punish horse-racing and immoderate driving or riding in any street, and to authorize the stopping and detaining of any person who shall be guilty of immoderate driving or riding in any street.

9. To determine and designate the route and grades of any railroad to be laid in said city, and to restrain and regulate the rate of speed of locomotive engines and cars upon the railroads within the said city.

10. To regulate or prohibit bathing in any public water.

11. To restrain and punish drunkards, vagrants, mendicants, street beggars, and persons soliciting alms or subscriptions for any purpose whatever.

12. To establish and regulate pounds, and restrain and regulate the running at large of horses, cattle, swine and other animals, feres and other poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the cost of keeping and impounding the same.

13. To regulate and prevent the running at large of dogs, and to prevent dog-fights in the streets.

14. To prohibit any person from bringing or depositing, within the limits of said city, any dead carcass or any other unwholesome or offensive substances, and to require the removal or destruction of such substances, or any putrid meats, fish, hides or skins of any kind, by any person who shall have the same on his premises, and on his default, to authorize the removal or destruction thereof by some officer of the city.

15. To compel all persons to keep sidewalks in front of premises owned or occupied by them clear from snow, dirt, wood and obstructions.

16. To regulate the ringing of bells and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets.

17. To require the removal, from populous parts of the city, of all persons having infectious or pestilential diseases.

18. To regulate the burial of the dead, and to compel the keeping and return of bills of mortality.

19. To establish, order and regulate markets, to regulate the vending of wood, coal or other fuel, meats, vegetables, fruits, fish, poultry, milk and provisions of all kinds, and to prescribe the time and place for selling the same, and of ascertaining the weight or other quality thereof, and the fees to be paid by butchers or fishermen, and that nothing herein contained shall authorize the common council to prevent the sale of fresh and wholesome meats by the quarter, within the limits of said city, by farmers who have raised or fattened the same upon their own farms.

20. To establish, make, regulate and preserve public reservoirs, wells and pumps, and to prevent the waste of water.

21. To regulate sextons and undertakers for burying the dead, carmen and their carts, hackney carriages and their drivers, scavengers, porters and chimney sweeps, and their fees and compensation, and to prescribe the fees to be paid by them into the city treasury for license.

22. To prevent runners, stage drivers or others from soliciting persons to travel or ride in any stage, omnibus, carriage, boat, or upon any railroad, or to go to any hotel or other place of entertainment.

23. To provide for and regulate the lighting of streets and alleys, and the protection and safety of public lamps.

24. To regulate and restrain hawking and peddling in the streets, and to regulate pawnbrokers.

25. To prescribe the duties of all officers appointed by the common council, and their compensation, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law.

26. To protect and preserve shade trees in the streets, parks, squares, avenues and alleys of said city, and to cause such trees to be pruned and trimmed so that the same shall not obstruct or prevent the proper lighting of streets.

27. To regulate and prescribe the breadth of tire upon the wheels of wagons, carts and vehicles of heavy draught used upon paved, macadamized or improved streets in said city, provided, however, that this section shall not apply to vehicles used by farmers coming into the city with produce or fuel.

28. To require every merchant, retailer, trader and dealer in merchandise or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the city sealer, and to be subject to his inspection, and may impose penalties for any violation of any such ordinance.

29. To pass such ordinances as they may think proper and necessary to prevent the overflow, canals, basins and slips in the city from overflowing, and to compel the repair or raising up the banks, wharves and landing along such harbors, canals, basins and slips, and to prevent the casting therein of any earth or other substances, and to prevent and remove all obstruction therein, and prescribe penalties for the violation of any such ordinance.

§ 41. The Common Council shall have power by ordinance to cause any mill-race within said city to be covered with bridges or arches or otherwise, in the same manner that other public improvements are directed to be made and pursuant to the provisions of title

seven of this act so far as the same are applicable. The expense of such improvement may be assessed wholly upon the owners or occupants of such mill-race, or upon such other property as the Common Council shall deem benefited, or both, in the same manner as other assessments for local improvements.

§ 42. The Common Council shall have power by ordinance or otherwise to require any gas-light company in said city to lay its mains or gas pipes in any of the public parks, streets, lanes or alleys within the limits of said city, upon making proper and just compensation therefor, and said company is hereby required upon such compensation being made to so extend said mains in pursuance of any ordinance duly passed by said Common Council, and the said Common Council may, in its discretion, assess the expenses of said extension upon the property benefited thereby, wholly or partly on said city at large, or both.

§ 43. Where, by the provisions of this act, the Common Council have authority to pass ordinances on any subject, they may prescribe any penalty, not exceeding one hundred and fifty dollars (except when a penalty is herein otherwise provided for), for a violation thereof, and may provide that the offender, on failing to pay the penalty recovered, shall be imprisoned in the Monroe county penitentiary, or county jail, for any term not exceeding one hundred and fifty days, which penalties may be sued for and recovered, with costs, in the name of the city of Rochester. And the Common Council may subject the parent or guardian of any minor, or the master or mistress of any apprentice or servant, to any such penalty for any such offense committed by such minor, apprentice or servant.

§ 44. Every ordinance, rule and regulation of the Common Council imposing a penalty, unless a different time shall be prescribed therein, shall commence and take effect on and not before the tenth day of its adoption or passage by the Common Council, and shall continue in force until otherwise ordered by the Common Council. A record or entry made by the clerk of the said city, or a copy of such record or entry, duly certified by him, shall be the prima facie evidence of the time of such adoption or passage; and such record or entry, and all laws, regulations and ordinances of the Common Council may be read in evidence in all courts of justice, and in all proceedings before any officer, body or board, in which it shall be necessary to refer thereto; either:

1. From a copy thereof, certified by the clerk of the city, with the seal of the corporation affixed; or,

2. From the volume of ordinances printed by authority of the Common Council.

§ 45. The Common Council shall annually determine the salary to be paid to the mayor, city treasurer, and police justice, 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 otherwise provided for, which salary shall be paid from the city treasury, and shall not be diminished during the then current municipal year commencing on the first Monday of April, and neither of said officers shall receive, or any person having claims against the city, or persons with it, shall make out a statement in detail of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified, the several items of expenditure made by the Common Council, the objects and purposes for which the same were made, or the persons and the terms of payment under each, the amount of taxes raised for the general contingent expenses; the amount raised for lighting the city, and for police; the amount of highway taxes and assessments; the amount of assessments for paving, repairing and opening streets, and for repairing and building bridges; the amount borrowed on credit of the corporation, and the terms of which the same was obtained, and such other information as shall be necessary for a full understanding of the financial concerns of the city, which statement shall be signed by the mayor and clerk, and filed with the clerk of the city, and the same shall be published by the clerk, at the expense of the city, in a newspaper in which the proceedings of the Common Council are published. The Common Council shall, at its first regular meeting in each year, or as soon as practicable, select one daily newspaper published in said city

for the publication of the proceedings, resolutions and ordinances of the Common Council, and of the Executive Board of said city, and all the notices and advertisements and proceedings of any of the officers of said city, and of all the committees of the Common Council during the current fiscal year, provided such publication shall be under and in accordance with the terms of a written contract with the city, therefor to be made and executed by the proprietor or proprietors of such newspaper, and the mayor of the city of Rochester under the direction and approval of the Common Council.

TITLE IV.

POWERS AND DUTIES OF CITY OFFICERS.

§ 47. It shall be the duty of the mayor to take care that the laws of the State and the ordinances of the Common Council be faithfully executed; to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and to examine into all complaints against them for neglect of duty; to recommend to the Common Council such measures as he shall deem expedient, and, in general, to maintain the peace and good order and advance the prosperity of the city. In all criminal matters he shall have and possess the same power as a county judge at chambers, and shall have power to administer oaths and take affidavits within said city, and to receive therefor the same fees that are allowed to county judges for the same services.

§ 48. Before any ordinance, resolution or order of the Common Council concerning public improvements, or for the payment of any money, or any ordinance, resolution or act of a legislative character passed by the common council shall have any force or effect, a transcript of such ordinance, resolution, order or act shall be presented to the mayor for his approval; if he approves, he shall endorse thereon in writing, and sign such approval; if he disapproves he shall return such transcript to the common council, or the clerk thereof, with his objections and reasons for disapproval, in writing, which shall be filed by the clerk, and the common council shall, at its next meeting thereafter, proceed to reconsider such ordinances, ordinance, resolution, order or act thus disapproved; and if the same shall be passed by two-thirds of all the members of the common council then in office, the same shall have full force and effect, notwithstanding the objections of the mayor. If any such transcript with such objections and reasons shall not be returned by the mayor to the common council or clerk within five days after the transcript shall have been presented to him (Sundays excepted), such ordinance, resolution, order or act shall have full force and effect in like manner as if duly approved by the mayor, unless the term of office of the mayor shall expire within five days after such transcript shall be presented to him, in which case such ordinance, resolution, order or act shall have no force. The provisions of this section are hereby made applicable to all acts, resolutions or orders of the board of education, done or passed by said board, and all returns of transcripts, with the approval or disapproval of the mayor and his objections, shall be made to the board of education or the clerk thereof; but this section shall not apply to any penal ordinance, rule or regulation, nor to any action of the common council in relation to appointments to or removals from office, or to the reduction of the number of policemen.

§ 49. All official bonds of said city, except as may be otherwise provided by law, shall be deposited with the mayor of the city for safe-keeping, and it shall be his duty to deliver the same to his successor in office.

§ 50. It shall be the duty of every alderman in said city to attend the regular and special meetings of the common council; to act upon committees when thereunto appointed by the common council; to order the arrest of all persons violating the laws of the state, or the ordinances, by-laws or police regulations of the city; to report to the mayor all subordinate officers who are guilty of any official misconduct or neglect of duty, and to aid in maintaining peace and good order.

§ 51. The mayor and aldermen of the city, by virtue of their offices, shall have and exercise all the power and authority of justices of the peace in criminal cases, and in enforcing the laws of this state relating to the police thereof, and as such may be members of courts of special sessions in and for the county of Monroe, but shall have no jurisdiction in civil cases other than such as by this act shall be expressly conferred upon them.

§ 52. The supervisors elected as hereinbefore provided shall have and exercise all the powers, authority and functions of supervisors of townships, except as herein otherwise provided, and shall be members of the board of supervisors of the county of Monroe, and shall be entitled to the same compensation, to be paid in the same manner.

§ 53. The assessors appointed as hereinbefore provided shall perform all the duties required of assessors in relation to the assessment of property in said city, for the purpose of levying taxes imposed by the su-

supervisors of Monroe county, and of levying taxes and assessments imposed by the common council.

§ 54. The supervisors of the said city, with the assessors, shall make out and return to the county of Monroe a list of persons to serve as petit jurors and as grand jurors in the several courts held in the county of Monroe, at the same time and in the same manner as prescribed by law in relation to the supervisors, assessors and town clerks of the several towns of this state; and for that purpose they shall assemble at such place as the said supervisors shall appoint.

§ 55. The clerk shall attend the meetings of the common council, and keep a record of its proceedings, and shall have the custody of the corporate seal, and shall keep all papers that, by any provision of law, or by the direction of the common council, are required to be filed with or kept by him; and copies of all papers filed in his office, and transcripts from the record of the proceedings of the common council, certified by him under the corporate seal, shall be evidence in all places of the matter therein contained. He shall countersign all licenses granted for any purpose by the mayor or common council, and shall enter in an appropriate book the name of every person to whom a license shall be granted, the date thereof, and the time during which it is to continue in force, and the sum paid for such license. No license for any purpose granted shall be valid unless duly countersigned by the clerk. No license shall be valid until the sum of money required therefor shall be fully paid in advance to the treasurer; and it is hereby made the duty of the city clerk to call upon the chief of police for a detail of one or more policemen to enforce the penal ordinances of said city in relation to all persons required to make out licenses, and who are not represented by an attorney for prosecution all violations of said ordinances that may come to his knowledge.

§ 56. It shall also be the duty of the clerk, within four days after the close of each session of the common council, to make and present to the mayor a summary of every ordinance, resolution and order, transacted and passed by the common council, or for the payment of money, and every ordinance, resolution, order and act of a legislative character, passed by the common council at such sessions requiring the approval of the mayor; which transcripts, after being returned by the mayor, shall be filed by him and kept in his office, and when applied for by the mayor shall be duly recorded with the approval, and shall also be recorded when the same shall go into effect without the approval of the mayor.

§ 57. The clerk shall publish, for at least one week, in one of the daily newspapers printed in said city, all acts and ordinances of the common council, for the violation of which any penalty may be imposed, and all votes, ordinances and resolutions directing the payment of money, at least once within eight days after the passage of such vote, ordinance or resolution.

§ 58. The treasurer shall receive all the moneys belonging to the city, except as may be otherwise by this charter or other law expressly provided, and shall deposit and keep the same as directed by the common council, and shall keep an account of all receipts and expenditures in such manner as the common council shall direct. He shall monthly, and at the first stated or regular meeting of the common council, each month, deliver to the clerk thereof, to be laid before the common council, a just and true statement of the condition of the several funds in his charge on the day of such meeting of the common council, setting forth the exact balance then remaining in each fund, which statement shall be duly verified by the oath of the said treasurer, and shall be filed by the said clerk. For neglect or refusal on the part of the treasurer to prepare and deliver such statements above provided for, he shall be liable for ten dollars for the first day, and for every day thereafter so neglect or refuse subsequent to the first he shall forfeit and pay five dollars, which penalties may be sued for and recovered by the city of Rochester. All moneys drawn from the treasury except as otherwise provided by this charter or other law, shall be drawn in pursuance of an order of the common council, or warrant, signed by the clerk. Such warrant shall specify for what purpose the amount therein expressed is to be paid, and the clerk shall keep, in a check book to be kept by him for the purpose, an account, under the appropriate heads of expenditures, of all orders drawn upon the treasury. But no warrant, check or draft shall be signed by the clerk or be paid or accepted by the treasurer, the effect of which shall be to overdraw any of the funds aforesaid, or when there shall not be money in the treasury applicable to the payment of such warrant, check or draft, to pay the same in full. Any violation of this provision by the clerk or treasurer shall be a misdemeanor, and shall subject the offender to a fine of not less than ten dollars nor exceeding one hundred dollars, and it shall be the duty of the district attorney of the county of Monroe to prosecute any person so violating this pro-

vision, on the complaint of any tax-payer of the city of Rochester. The books and accounts of the treasurer shall at all reasonable hours be open to the inspection of any elector of said city. At the last regular meeting of the common council in the month of March, in each year, the treasurer shall make a report, exhibiting a full account of the receipts and expenditures during the last preceding year, and from the date of the last like report, and also the state of the treasury and the funds aforesaid; which report and account shall be referred to a committee for examination.

§ 59. The commissioners of excise of the said city shall make a report in writing every month to the common council, signed by such commissioner and verified by their oath, and shall deliver such report so verified to the city clerk, before the last day of the month, which report shall contain a full, true and detailed statement of all the moneys received by them and not before reported as hereby required, with the date and amount of each and every item of money received, and the name and place of business of each and every person licensed (not before reported as aforesaid) and the amount charged in each case. With every such report shall be the city treasurer's receipt, showing that the full amount of moneys so reported have been paid to him. A like verified report shall be made and bear date on the Saturday next before the first Monday of May in each year, and shall be delivered to the city clerk with the treasurer's receipt as aforesaid within two days thereafter.

§ 60. The attorney of said city shall prosecute and defend all actions brought by and against said city, and render such other professional services connected with the affairs of said city as may be required of him by law or by the common council.

§ 61. It shall be the duty of the superintendent of streets to superintend, under the direction of the executive board, all work to be done or ordered upon or in relation to any of the public streets, parks, walks, bridges, sewers, pumps or reservoirs of said city, and to perform, under the direction of said board, such other duties as are by law imposed upon him. If no superintendent of streets shall be appointed, then all powers and duties by this charter imposed upon him shall belong to, and be performed by, the executive board of said city.

§ 62. In case of the absence or inability of the mayor to act as such, or in case his office shall become vacant by death, resignation or otherwise, the president of the common council shall possess all the powers and perform all the duties of mayor during such absence or inability or during the remainder of his term of office, in case of a vacancy therein.

§ 63. The constables elected in said city, or in the different towns of the county of Monroe, shall not be compelled to serve or execute any process, notice or paper whatever, issued by the police justice or the municipal court of said city, in execution of the laws of the state for the prevention of crime and the punishment of criminal offenders, or for the enforcement and regulations of the state or of said city, or of the county of Monroe, or any of the towns thereof, or said city be liable to pay any such constable any fees for serving or executing such papers or process. In other respects the constables elected in said city shall have within said city and the county of Monroe the same authority and compensation, and be subject to the same duties, as the constable of the several towns of said county.

§ 64. The police justice of said city shall keep an office in such place in said city as the common council shall designate, and it shall be his duty to attend to all complaints of a criminal nature which may come before him, at all reasonable hours. He shall not be liable to receive any fees or reward for any service, but shall receive in full compensation for his services as police justice an annual salary, to be fixed, from time to time, by the common council of said city, to be paid from the treasury thereof.

§ 65. All the fines and penalties imposed by said police justice shall be paid to the police clerk, and all moneys so received shall be paid to or received by him as the same shall belong to the city of Rochester, and the police clerk shall report on oath to the said common council, at the first regular meeting thereof in each month, during the term for which he shall be appointed, the number and names of persons fined, and the names of persons against whom judgments shall have been rendered by said police justice for any penalty or penalties, and the dates and amounts of such fines and penalties respectively, and all moneys collected or received by him as such police clerk for fines, or penalties, or otherwise, and shall pay to the treasurer of said city in each and every week during the term for which the said police clerk shall be elected or appointed, or during which he shall hold said office, the moneys received by him which are heretofore declared to belong to said city; which moneys, except as hereinafter otherwise expressly provided, shall be, by said trea-

sure, credited to the police fund, and any neglect to comply with the provision of this section shall be good ground for the removal from office of said police clerk. The said police justice may be removed from office by the county court of Monroe county, for official misconduct, neglect of, or unfaithful or insufficient performance of any of his duties, on charges preferred by the common council or by any one or more electors of the said city of Rochester; but notice of such charges against him, and an opportunity of being heard in his defense, shall first be given in such manner as said court or the judge thereof shall direct.

§ 66. All dockets and other books kept by said police clerk shall, at all times, be subject to the inspection and examination of the city attorney, the common council or any member thereof, or of the board of police and it shall be the duty of said clerk to produce such docket or books whenever and wherever the common council or board of police shall direct; and if he shall neglect or refuse to produce such docket or books as required, the county judge of Monroe county may, on application to him for that purpose, make a writ to direct the same to be produced, and enforce obedience thereto and punish disobedience thereof in the same manner in which obedience to other orders made by him is enforced or disobedience thereof punished.

§ 67. It shall be the duty of the police justice, for the time being, on the first Monday in May and November, in every year, to direct the sale to be made by him of the property of the said city of Rochester, of all moneys, goods, wares and merchandise then remaining unclaimed in said police office, and immediately thereafter to give notice, for four weeks, in one of the public newspapers printed in the said city of Rochester, to all persons interested or claiming such property, that he has directed the same to be sold with satisfactory proof of such ownership, before a specified day, the same shall be sold at auction to the highest bidder. On the day and at a place specified in such notice, all property remaining unclaimed, except money, shall be sold at auction by said justice, or under his direction. If any goods, wares, merchandise or chattels of a perishable nature, or which shall be expensive to keep, shall, at any time, remain unclaimed in said police office, it shall be lawful for said police justice to sell the same at public auction, at such time and after such notice as to him and the said mayor shall seem proper. The said justice shall, immediately after the sale of any property in accordance herewith, pay to the treasurer of said city all moneys remaining unclaimed in his hands as such police justice, and all moneys received by him upon such sale, after deducting the expenses thereof.

§ 68. It shall be the duty of the police justice aforesaid, whenever he shall obtain possession of any stolen property, or his receiving satisfactory proof of property from the owner, to deliver such property to the owner thereof, on his paying all necessary and reasonable expenses which may have been incurred for the preservation and sustenance of such property.

§ 69. No property shall be sold or delivered in pursuance of the foregoing provisions of a justice of the peace of Monroe county, shall direct that the same shall remain unclaimed or undelivered for the purpose of being used as evidence in the administration of justice.

§ 70. The chief of police and policemen of said city shall obey the lawful orders of the mayor, aldermen and of the police justice, or of any person legally exercising the criminal jurisdiction of a justice of the peace in said city, in enforcing the laws of this state or the ordinances of said city; and in case of refusal or neglect so to do, he or they shall be subject to a penalty of not less than five dollars nor more than one hundred dollars.

§ 71. The expenses of apprehending, examining and committing off against any law of the state in said city, and of their confinement, shall be audited, allowed and paid by the supervisors of the county of Monroe, in the same manner as if such expenses had been incurred in any town of the said county, to be assessed on said city.

§ 72. The city treasurer shall, by virtue of his office, be the chief fiscal officer of the city and have the care and custody of all the funds and securities belonging to the city, except as may be otherwise provided.

§ 73. Mount Hope cemetery shall be under the control of three commissioners who shall constitute a board of commissioners.

§ 74. The commissioners of Mount Hope Cemetery shall have the care, custody and management of all property upon the grounds, and shall employ a superintendent and such laborers as they may deem proper and regulate their compensation and services. They shall cause suitable maps to be made and perfected, of all the grounds, roads and lots therein, and shall regulate the sale and prices of lots and interments, and shall make such regulations for the use and protection of the cemetery as they shall deem proper, in

no case, however, being allowed to charge a fee to visitors.

§ 75. The commissioners of Mount Hope Cemetery shall cause a fund to be provided from the receipts of the said cemetery, by appropriating annually not less than ten per cent. of the gross receipts, which shall be applied, first, to the payment of mortgages now existing upon portions of the cemetery, and second, to create a repair fund, which shall not exceed fifty thousand dollars, which shall be invested, and as soon as it is of sufficient amount, the interest thereof shall be applied solely to the repairing of roads, lawns, hillsides, monuments, abandoned lots and public grounds, and such repair fund shall never, under any pretext or evasion, be diverted from this declared purpose, and the interest thereof shall be used annually as hereabove directed.

§ 76. The city treasurer shall receive and deposit in one or more of the savings banks in the city, of good standing, all moneys from the sale of lots and other sources, and also all penalties collected for violations of city ordinances in relation to Mount Hope, and shall pay all expenses incurred at Mount Hope, by making his checks upon such savings bank, which checks shall in all cases be countersigned by two or more commissioners.

§ 77. All deeds and conveyances of lots shall be executed by the mayor and city clerk and countersigned by the treasurer, and recorded in the city clerk's office. The commissioners of Mount Hope Cemetery shall receive compensation for their services, and shall make an annual report, under oath, to the Common Council, at its regular meeting in March, of their receipts and expenditures and of all matters committed to their charge.

§ 78. The sealer of weights and measures appointed for said city shall possess the like powers, be subject to the like obligations, and exercise the same, as sealers of weights and measures of the several towns of this state.

§ 79. 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 during such examination shall be deemed willful perjury. He shall also have the same power to settle cases of bastardy, as now conferred upon the superintendent of the poor, and shall possess all the powers and authority of overseers of the poor in towns.

TITLE V.

TAXES, FUNDS, REVENUE AND EXPENDITURE.

§ 80. The common council shall examine, settle and audit all accounts chargeable against the city as well as of its officers or other persons, except as otherwise expressed by this charter or other law, and shall have authority to direct the raising of such sums as shall be necessary to defray the same and the contingent expenses of the city, subject to the limitations and restrictions hereinafter contained; they shall have the power to borrow money, as in the next section provided, and also to borrow against any tax or assessment levied, but not collected, to an amount not exceeding the amount thereon uncollected, and to issue therefor the obligations of the city payable in not more than one year, with interest at not over seven per centum.

§ 81. For the purpose of paying such expenses the common council shall raise annually such sums as shall be estimated and reported by the finance committee as necessary, in the manner hereinafter provided. The said finance committee may at any time require from the chairman of each of the committees of the common council, and it shall be his duty to furnish to the finance committee, and in such form as they shall require, full and particular estimates of the amount needed by the various funds and departments in their charge, and especially for lighting the city, for the support of the police department, for the general contingent expenses of the city, for the support and relief of the poor, for the maintenance and improvement of public parks and squares, of the yards of the board of health, and for all other necessary expenses of said city during the next fiscal year. The finance committee shall prepare, on or before the first regular meeting of the common council, in May of each year, they shall present to said council a statement, in detail, of the several sums which will be needed for said purposes, and to meet such expenses, of the year or all proper municipal purposes, and showing what sums will be, in their opinion, necessary to be raised for other specific purposes. The common council may alter or amend such statement in their discretion, but not so that the aggregate amount to be raised shall exceed that so reported to them by the finance committee, unless such increase be made by a vote of two-thirds of all the members elected, subject to the approval of the mayor. They shall cause such estimates as amended to be published for six successive days in one or more newspapers of said city before finally determining the amount of the general tax, which must be determined by the first regular meet-

ing in June in each year. A vote of a majority of all the members of the common council shall be necessary to fix such amount, and the statement, as finally adopted, shall be entered at large in the minutes. The said common council shall also raise annually by tax, with the general taxes of said city, an amount sufficient to pay interest upon all the bonds issued by the said city, and all the principal, or installments of principal of said bonds falling due within the current fiscal year for the payment of which provision shall not be otherwise made. In addition to the amount authorized to be raised in each year for the construction and repairs of highways, the common council are hereby authorized to raise by tax in said city annually a sum not exceeding two thousand seven hundred dollars, for the purpose of cleansing and keeping in repair the following avenues, or such of them as have been or may hereafter be permanently improved between the points indicated: North street, from East Main street to the railroad; East Main street from Scio street to the city line; East avenue, from East Main street to the city line; Monroe street, from South Clinton street to Alexander street; Mount Hope avenue, West avenue, from the Erie canal to the city line; Lyell street, from State street to the city line; Lake avenue, from Lyell street to McCracken street; Plymouth avenue, from the Genesee Valley canal to the city line. But no more than three hundred dollars for each of said city lines or avenues shall be raised in any one year; also a farther sum not exceeding one hundred dollars, for the purpose of cleaning and keeping in repair North St. Paul street, from Scranton street to the city line, Mount Hope avenue, from the Erie canal to Mount Hope Cemetery entrance, and South avenue, from the Erie canal to the city line, but no more than one hundred dollars in said streets or avenues shall be raised in any one year. No member of the common council shall vote for the payment of any money out of any of the general funds herein named or out of any other fund in the city treasury, knowing that such fund is without money to pay the same; and any person violating this provision shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the Monroe county penitentiary for the period of ten days; and the district attorney of the county of Monroe is hereby specially directed and it shall be his duty to prosecute all persons violating the provision upon the complaint of any taxpayer of said city. In case the sums above-mentioned, or any of them, shall prove insufficient for the purposes for which the same were raised, then the common council shall have power, by a vote of three-quarters of all the members elect, subject to the approval by the mayor, to provide for borrowing, upon the credit of the city, so much money as may be deemed necessary to supply such deficiency, and the amount so borrowed shall be assessed and collected as part of the city taxes of the ensuing year, in addition to the other sums provided for. In case the common council shall order the whole or any part of the expense of any improvement or public work, or the amount of any proper municipal expenditure or liability to be paid out of the public treasury of the city (and not by local assessment or otherwise), and the amount in the treasury, or already levied by general tax, shall not be sufficient for the purpose, the common council may borrow, upon the credit of the city, the necessary amount, and the same shall be raised in, and paid out of the next general tax levy; but every note or obligation of the city executed under this section shall be payable in not more than one year from its date.

§ 82. All sums so directed to be raised by tax by the common council shall be assessed on all real and personal estate in said city according to the valuation of the same in the last preceding assessment rolls, which shall have been returned by the assessors of said city, and filed in the office of the clerk of said city, except as by this charter otherwise provided; but no real or personal estate, which shall be exempt from taxation or assessment by the general laws of this state, shall be liable to be assessed for the ordinary city or county taxes, but such real estate may be assessed and taxed for improvements. All real estate shall be assessed to the owner or occupant, or by any description by which it may be known and distinguished, without reference to the owner or occupant.

§ 83. The annual assessment of property in said city shall be made by the assessors thereof, by the second Tuesday of April in each year, who shall enter the assessments for each ward in separate books provided for that purpose. Immediately after such assessments shall have been completed the assessors shall determine the time and place where they will first meet to hear the allegations and objections of all persons interested in the assessments, of which at least ten days previous notice shall be given by publication in all the daily newspapers published in said city, at the time and place designated in said notice, and for ten consecutive days thereafter, exclusive of Sundays, the assessors shall meet and hear such allegations and objections, and the assessment books shall be open to the examination and inspection of all parties interested. The assessors shall amend and correct such assessments as they shall deem proper. When completed, the assessment books shall be certified and sworn to by the assessors, or a majority of them, and shall be delivered to the clerk of the city on or before the fifteenth day of June in each year, who shall report the same to the common council of said city at its next meeting. The assessors shall make and certify a correct copy of said assessment books and deliver the same to the supervisors of the several wards, respectively, for the use of the board of supervisors of Monroe county, on or before the first day of October in each year to be by them presented to the board of Monroe county as the ward rolls of the city. The board of supervisors shall pay to said assessors, for the copy for their use, in the same manner as paid to the supervisors of the several towns for the town rolls. The said assessors are hereby directed to make such additional amendments and corrections in said assessment rolls as to the names of the actual owners or occupants of real estate therein assessed as they shall deem proper, at any time before the first day of October in each year.

§ 84. The common council may, from time to time, direct the supervisors of the city to prepare and forward to the assessors a brief description of any or all the real estate in any ward; and the description thus furnished shall be followed and adopted by the assessors.

§ 85. The common council shall, during the month of June in each year, assess the city taxes in the same manner in which the county taxes are by law to be assessed by the board of supervisors, or which shall be by the assessors inserted in the assessment rolls reported by the assessors, as before provided; and such rolls, with taxes inserted therein, shall be delivered by said assessors to the treasurer of said city. After said assessment rolls have been confirmed by the common council, it shall not be lawful for said common council to hear complaints or allegations from persons assessed thereon who may claim any exemption from taxation in any way, under any law of the state of New York relating to the national guard or military of said state, but as to all such persons such confirmation shall be final and conclusive.

§ 86. To each of such assessment rolls so to be delivered to the treasurer of said city, as aforesaid, shall be annexed a warrant under the hand of the mayor and the seal of the city, commanding the city treasurer to collect from the several persons named in the assessment rolls the several sums levied as taxes in the columns of such rolls, according to the provisions of this act.

§ 87. The said assessment rolls, with the said warrants annexed, shall be delivered to the city treasurer on or before the first day of July in each year.

§ 88. The city treasurer shall then proceed to collect and receive said city taxes from the several persons named in the said assessment rolls, in the manner hereinafter mentioned; and shall, immediately after receiving such warrants or advertisements by advertisement in two of the public newspapers printed in the city of Rochester, that all persons named in said rolls are required to pay their taxes to him at his office on or before the fifteenth day of November, then next, and stating the amounts to be added if payment shall be delayed.

§ 89. The city treasurer shall receive the amount of any tax levied in said assessment rolls during the month of July, and on all amounts not paid on or before the last day of July succeeding the levying of such tax, he shall receive for the contingent fund of said city the following additions as charges for collection, namely: if the same be paid after the last day of July, and on or before the last day of August, then next, he shall charge and receive an addition of one per cent.; if paid after the last day of August, and on or before the last day of September then next, an addition of two per cent.; if paid after the last day of September and on or before the fifteenth day of October next, an addition of three per cent.; if paid after the fifteenth day of October, then an addition of four per cent.; if paid on or after the first day of the month of November then next, and on or before the fifteenth day of the same, an addition of five per cent.; and if paid at any time after the fifteenth day of November, such addition of five per cent. shall also, interest from the day at the rate of twelve per cent. per annum.

§ 90. The said city treasurer shall also, immediately after the last day of October, give public notice in all of the daily newspapers of the said city, to be published in such papers ten days, notifying all persons who shall have omitted to pay their taxes, to pay the same to him at his office, on or before the fifteenth day of the said month of November.

§ 91. It shall be the duty of the city treasurer, upon all taxes remaining unpaid on the fifteenth day of De-

comber next succeeding the completion of the said assessment rolls, to issue so many warrants as he shall deem proper, under his hand, and directed to any person whom he may see fit to appoint a collector of the taxes specified in such warrant, commanding such person, as such collector, to levy the amount of said tax, and an additional amount of five per cent., except that in no case is the amount so added to be less than twenty-five cents, and, also, interest at the rate of twelve per cent. per annum from the preceding fifteenth day of November, and the fees of said collector, by distress and sale of goods and chattels of the person against whom the said warrants shall be issued, or of any goods and chattels in his possession, whosoever the same shall be found within said city, and to pay the same to the city treasurer, and return such warrant within twenty days after the date thereof; and no claim of property to be made to such goods and chattels so found in possession of the said party shall be available to prevent a sale. After the return of any warrant, the treasurer, if he deem expedient, or if so directed by the common council, may issue a second or subsequent warrant for the taxes still remaining unpaid, with said percentage, interest and fees. Every collector shall hold his appointment during the pleasure of the treasurer, and may at any time be removed or suspended by him; and the treasurer and his sureties shall be liable for any collector, or for all or any part of the taxes collected or received by him. No warrant shall be delivered to any collector until he shall have executed and deposited with the treasurer a bond to the city of Rochester, with two or more sureties approved by such treasurer, and acknowledged in the manner required for the recording of conveyances of real estate, and conditioned for the faithful performance of such collector as a collector of the taxes specified in such warrant, and for the faithful accounting and paying over to the treasurer of all moneys that he may collect or receive under such warrant. If any collector shall fail to return any warrant issued to him, as therein required, or shall fail to pay over to said treasurer all moneys collected or received by him, or if such collector shall refuse to give an account thereof, the supreme court, or any justice thereon, on the application of the treasurer, or of the city of Rochester, shall have jurisdiction, on proof, by affidavit or otherwise, summarily to enforce such return, payment, or accounting, or all, as the case may be, by attachment and proceedings thereon, in the same manner as if such collector were a full party to the suit. The fees of such collector shall be estimated only on the moneys collected by him, and where several sums are assessed to the same person or persons, on the same list, such sums shall be deemed to be one tax for the purpose of estimating collectors' fees. The interest and percentage other than collectors' fees shall be added to the contingent fund of the city, and the said treasurer, immediately after receiving the bond of any collector, shall file the same in the office of the clerk of Monroe county, and the same shall be a lien upon the real estate of any person executing the same, situate in said county. Such collector shall have full power and authority to execute said warrants in any part of the city; and if any such collector shall neglect or refuse to pay over any money collected by him he shall be deemed guilty of a misdemeanor.

§ 92. The said collectors shall give public notice of the time and place of sale of the property to be sold, at least six days previous to the sale, by advertisement to be posted up in at least three public places, of which the outer door of the court-house shall be one. All sales by virtue of this provision shall be by public auction from the steps in front of the court-house.

§ 93. If the property distrained shall be sold for more than the amount of the tax, per centage, interest, and the costs, charges and expenses of such distress and sale, the surplus shall be returned to the person in whose possession such property was at the time of sale, if any claim be made to such surplus by any other person; if any other person shall claim such surplus on the ground that the property sold belonged to him, and such claim be admitted by the person for whose tax the same was distrained, the surplus shall be paid to such owner; but if such claim be contested by the person for whose tax the property was distrained, the surplus money shall be paid by the collector into the city treasury, there to be retained as a special deposit, until the rights of the parties shall be determined by due course of law.

§ 94. On the last Thursday of March, in each year, the city treasurer shall cause to be exposed for sale, as hereinafter provided, all real estate charged with any tax or assessment, which shall have been due and unpaid more than thirty days previous to the said last Thursday in March.

§ 95. The city treasurer shall cause a notice of the time and place of such sale to be published in all the daily newspapers published in said city at least ten days previous to such sale; and he shall also cause to be published in one or more of said daily papers on

some day not more than twenty, nor less than ten days previous to such sale, a list of the several parcels of real estate so to be sold, describing therein each parcel of real estate in the same manner substantially as the same is described in the assessment rolls in which the said tax or assessment is imposed thereon, together with the name of the person to whom each parcel is assessed and the amount of the tax or assessment thereon.

§ 96. It shall be the duty of the city treasurer to conduct all the proceedings and render all the services necessary to perfect the sale and transfer of real estate in said city where the same shall be sold or advertised for sale for the non-payment of any assessment imposed thereon by the common council, and for such services so rendered by the city treasurer, including the expense of advertising such real estate, the corporation shall be entitled to have fifty cents for each parcel of land so ordered to be sold, in case the sale thereof shall be stopped by payment after advertisement, and one dollar and fifty cents for each parcel that shall be actually sold, which fees shall be paid into the city treasury and carried to the contingent fund.

§ 97. If such tax or assessment and the per centage, interest, allowance and expense aforesaid be not paid by the said last Thursday of March, the city treasurer shall, at the time and place appointed in the notices required as aforesaid, or on some day immediately thereafter, to which said sale may be adjourned, proceed to sell the said several parcels of real estate for the shortest time any bidder will take such premises and pay the said tax or assessment, with said charges and expenses; and on such sale he shall execute to the bidder a certificate of sale, in which that shall be given as aforesaid, or on some day in the aggregate amount of tax or assessment and said charges and expenses, and the time for which the premises were purchased shall be specified; also the time when the purchaser will be entitled to receive the lease hereinafter mentioned. The amount added to such tax or assessment for fees shall be carried to the contingent fund.

§ 98. If at any such sale no bid to the amount of the tax thereon and expenses of sale shall be made for any such parcel of land, the same shall be struck off to the city, and the treasurer shall make a memorandum of the fact that the land was so struck off to the city in a book to be kept for that purpose.

§ 99. The treasurer of said city may be authorized, by an order of the common council, to bid for and in the name of the corporation of the said city upon any lands offered for sale at public auction, upon which the said corporation may have any claim or lien.

§ 100. Any owner or claimant of the premises so sold for any tax or assessment may, within two years after such sale, redeem the same by paying to such purchaser, his representatives or assigns, or into the city treasury for his use, the amount so paid by him, with the addition of twelve per centum per annum, or at that rate, on such amount, and on such payment being made the right and title of said purchaser shall absolutely cease and determine.

§ 101. Any owner or any claimant of lands sold for city taxes or assessments shall, within one year after the expiration of the period of redemption provided for by the preceding section, cause to be served upon the owner of such lands a notice of such sale, signed by the person claiming such premises under such sale, his representative or agent, and specifying the amount of the tax or assessment and charges at the time of such sale, and the time for which such premises were bid off, and that the owner is required to redeem the same within thirty days, and any person making redemption after service of said notice shall, within the time therein provided, pay the amount for which the land was sold, with the said addition of twelve per centum per annum, into the city treasury for the use of the person who shall hold said certificate.

§ 102. The notice required by the preceding section shall be served on the owner of such land if he live in Rochester, personally, or by leaving at his residence. If such owner does not live in Rochester, but has an agent living in said city, whose appointment is in writing at his residence, if the same is known or can be ascertained by reasonable diligence, then such notice shall be served on such agent, personally, or at his residence. If such non-resident owner does not have such agent, then such notice may be served on any tenant in possession of said premises, and a copy thereof shall also be sent by mail addressed to such owner at his residence, if the same is known or can be ascertained by reasonable diligence, and if there be no tenant, service by mail as aforesaid shall be sufficient. If there be no occupant and the residence of such owner is not known and cannot be ascertained by reasonable diligence, or if the owner of such lands be unknown, then such notice shall be served by publishing the same once a week for six successive weeks in at least two of the daily city papers, and the cost of such advertisement shall be added to the amount already accrued upon his certificate.

§ 103. It shall be the duty of the treasurer to deliver to the attorney of said city within one month after the expiration of two years from the time any lands have been sold for any tax or assessment, where the same have been struck off to said city, a list of all such lands, with the names of the owners and a description thereof, as the same is described on the assessment roll containing the tax for which the same is sold. It shall be the duty of the attorney to cause a notice to be served upon all owners of land so purchased by said city, in the same form and manner as specified in the two last preceding sections.

§ 104. Whenever any lands in said city shall have been sold for taxes and bid off to said city and notice to redeem shall have been served as provided in the last section, for more than thirty days, and such lands have not been redeemed as before provided, the mayor of said city shall execute a certificate of the fact of such sale having been made and the lands struck off to the city, and that the same has not been redeemed, which certificate shall be acknowledged as deeds to be entitled to be recorded, and shall be recorded in the Monroe county clerk's office. Such certificates, or the record thereof, or a copy of such record duly authenticated shall, in all courts and places, be prima facie evidence that the tax or assessment was legally imposed, of the regularity and legality of all proceedings prior to such sale and of such sale and that notice has been duly given to redeem, and that such lands have not been redeemed. Upon the recording of such certificates, the said city or its assigns shall acquire an absolute title to such lands in fee, with the right to immediate possession, and may enjoy and hold such lands free and clear from all claim or demand of any owner thereof, or any person having any lien thereon or interest therein, but the equity of redemption in such lands struck off to the city shall only be barred as hereinafter provided. At any time after such certificate is executed the equity of redemption of all persons having any lien on or interest in said lands may be foreclosed by an action to be brought by said city in any court having jurisdiction thereof, in which action the same proceedings shall be had as nearly as may be, as on the foreclosure of mortgages, and judgment of strict foreclosure, or of foreclosure and sale, may be had therein as the court may direct. Whenever judgment of foreclosure and sale shall be ordered, any of the parties to such action may become the purchaser of such premises. The provisions of this section shall apply to all lands heretofore or hereafter struck off to said city.

§ 105. Any judgment creditor or mortgagee having a lien on the premises sold for any tax or assessment under the provisions of this charter may redeem the same within the same time, and on the same terms as the owner thereof, as hereinbefore prescribed. The right of any such judgment creditor or mortgagee to redeem such lands shall only be cut off by service of notice on, or for him, in the same manner as provided hereinbefore as to the owner, or where his equity of redemption is foreclosed, as provided in this charter.

§ 106. Every such mortgagee or judgment creditor shall have a lien on the premises sold by him, by virtue of this act, for the amount necessarily paid by him to effect such redemption, with the interest which may thereafter accrue thereon, in like manner as if the same had been included in his mortgage or judgment, and may enforce the same in the same manner.

§ 107. The term "mortgagee" shall be construed to include the personal representatives of such mortgagee and assignees whose assignments shall be duly recorded, and their personal representatives.

§ 108. An affidavit of the services of the notice required by the preceding sections of this title, in order to determine the time of redemption of such lands, specifying the time of such service, and taken before an officer authorized to take affidavits to be read in courts of record, shall be filed with the clerk of the city within ten days after such service, and the said affidavit shall be presumptive evidence of the facts contained therein. And the clerk shall keep a carefully indexed record of the same. If the said lands so sold in the manner heretofore provided shall not be redeemed within the time and in the manner in this title hereinbefore prescribed, the holder of such shall, at the expiration of such time, be entitled to a lease of said premises for the term for which the same were bid off, which term shall commence two years from the time of the sale of said lands; said lease may be given by the mayor, or other officer legally discharging the office of mayor, under the corporate seal of the said city, on production to him of a certificate of the city clerk that an affidavit was filed as by the next preceding section provided, and a certificate of the city treasurer that the money has not been paid to redeem said lands, which lease, or the record thereof, or a duly certified copy of such record, shall be prima facie evidence in all courts and places that such tax or assessment was legally imposed, and of the regularity and correctness of such sale and of all proceedings prior thereto, and that notice has been given to re-

deem, and that such lands have not been redeemed; and the said lessee, his heirs or assigns shall have, hold and enjoy the said premises during the term for which the same were granted to him, free and clear from all claim of any owner or occupant of the same, or of any person having any lien thereon or interest therein, but subject to any taxes or assessments that may be charged thereon, during the said term; and at the expiration of such term, such lessee, his heirs or assigns, may remove any building or fixtures that may have been erected on the said premises during the said term. But no lease or conveyance of such lands, or any part thereof, shall be executed by the mayor, or any person discharging the duties of the office of mayor, until all city taxes and assessments upon such lands shall have been paid.

§ 109. Whenever the said common council shall discover that any lands on which any tax or assessment remains unpaid, have been so imperfectly or erroneously described that the same cannot, in their opinion, be located with certainty, or that a sale thereof would not convey to a purchaser a valid title to the lands intended to be charged with such tax or assessment, by reason of the misdescription thereof, the said common council shall cause an accurate description of the lands intended to be charged with such tax or assessment, to be annexed to the annual assessment roll for the general expenses of the said city, and shall charge the said land with the amount of such taxes or assessments incurred, with the interest thereon, from the time the same ought to have been paid, specifying the purpose for which the same was originally assessed, and the time when the same was returned for non-payment; and the amount so charged shall be collected in the same manner and the same proceedings shall be had in case of non-payment of the same as in relation to taxes for the general expenses of the said city. The power conferred by this section may be exercised in respect to any lands heretofore returned to the city treasurer, and shall extend to all lands embraced in the terms of this section, whether the same have been bid in under such mortgage or assessment or not; and in case any mistake or error has been or shall be committed in any of the proceedings in making any tax or assessment upon any property, real or personal, the common council shall have power to correct such tax or assessment, or to remit the same, if uncollected, and to refund the same, if collected; and the amount or aggregate of the sums so remitted or refunded shall be added to the gross amount of taxes to be assessed and collected the next succeeding year, and shall be collected with the taxes for the general expenses of the city, and in the same manner.

§ 110. It shall be lawful for the said city to renew and extend the period for payment of the bonds or certificates outstanding against the said city, and which constitute the funded debt of said city, by issuing new bonds and certificates therefor, but such bonds and certificates shall recite or specify therein the bonds or certificates for the renewal of which such bonds or certificates shall be issued. The common council shall have power to issue in exchange for the water works bonds of said city heretofore authorized, and from time to time outstanding registered bonds of the said city for the same amount, payable at the same time and with the same rate of interest, under such regulations as the common council may prescribe; provided, however, that no new bond shall be signed by any officer until the bond for which it is to be exchanged shall be canceled with the certificate of the city treasurer or other city officer, and either deposited in his office or disposed of as the common council may direct.

§ 111. When, by any act authorizing the creation of any part of the present funded debts, any property or revenues of the said city were pledged or appropriated to the payment of any such funded debt, such property or revenues shall continue to be so pledged and appropriated to the payment of the bonds or certificates which shall, by virtue of this charter, be substituted for such part or parts of such funded debt.

§ 112. No money shall be drawn from the city treasury unless it shall have been previously appropriated to the purpose for which it shall be drawn, and all ordinances, resolutions and orders directing the payment of money shall specify the object and purpose of such payment, and the particular fund from which payment is to be made, and the same, with the approval of the mayor, shall be certified by the clerk of the common council to the city treasurer before any payment shall be made by him, except as otherwise expressly provided.

§ 113. All moneys received by the treasurer belonging to the city shall be deposited in one or more of the banks of the city, to be designated by the common council, and the treasurer shall keep a bank book with every bank in which any money of the city shall be deposited, in which shall be entered all sums received by such bank to the credit of the treasurer, and all sums paid out on his checks and drafts, which books shall be written up, and the bal-

ance stated on the last day of each week, and at any other time when the mayor shall direct. And every member of the common council shall be entitled, during usual banking hours, to inspect the account of the treasurer with any bank in which deposits of money are made. The common council shall also have the right to order the deposits transferred to, and made in, any other bank or banks.

§ 114. Every check drawn by the city treasurer, and countersigned as hereinafter provided, shall specify the particular fund out of which the payment by such check is to be made.

§ 115. No money accrued to the credit of the treasurer in any bank shall be drawn out unless by check signed by the treasurer and countersigned by the clerk, or by such other officer or person as the common council shall appoint or as is by this charter designated for that purpose; of which appointment notice shall be given to the banks in which such deposits shall be made, and a copy of this section shall be delivered to the cashier of every such bank, before making deposits therein.

COUNTY TAXES.

§ 116. After the board of supervisors of the county of Monroe shall have the equivalent of court rolls or assessment rolls of the city of Rochester, and shall have inserted therein the county taxes levied and assessed by them, they shall annex to each roll a warrant, under the hands and seals of the chairman and clerk of the board of supervisors, commanding the treasurer of the county of Monroe to collect from the several persons named in said rolls the sums mentioned in said rolls the sums mentioned in the last column of each roll opposite their respective names, and authorizing the said treasurer, in case any person named in the roll shall refuse or neglect to pay his taxes before the fifteenth day of April next ensuing, to levy the same by distress and sale of goods and chattels of such person, and that he shall, on or before the fifteenth day of January next ensuing, deliver the said rolls to said county treasurer.

§ 117. Immediately after receiving such rolls and warrants, the county treasurer shall give public notice, by advertisement, in all the daily newspapers printed in the city of Rochester, that all persons named in said rolls are required to pay their taxes to him at his office before the fifteenth day of April then next, and stating the amount to be added if payments shall be delayed; the said treasurer shall receive the amount of any tax levied on said assessment rolls during the month of January, and before the first day of February then next, without any addition thereto; if the same shall be paid on or after the first day of February and before the fifteenth day of February next succeeding the levying of said tax, he shall charge and receive an addition of one per cent, if paid on or after the fifteenth day of February and before the first day of March then next, an addition of two per cent; if paid on or after the first day of March and before the fifteenth day thereof, an addition of three per cent; if paid on or after the fifteenth day of March and before the first day of April then next, an addition of four per cent; if paid on or after the first day of April and before the fifteenth of April then next, an addition of five per cent.

§ 118. The said county treasurer shall also, immediately after the first day of April, give public notice in two of the public newspapers of the said city, to be published in such papers ten days, notifying all persons who shall have omitted to pay their taxes to pay the same to him at his office before the fifteenth day of said month, and that in default thereof a warrant will be issued for the collection thereof according to law.

§ 119. It shall be the duty of the said county treasurer, upon all taxes so remaining unpaid on the fifteenth day of April next succeeding the completion of the said assessment rolls, to issue so many warrants as he shall deem proper, under his hand, each directed to any person whom he may see fit to appoint as collector of the taxes specified in said warrant, commanding such person, as such collector, to levy the amount of said tax, and an additional amount of five per cent, and also interest at the rate of twelve per cent per annum, from the said fifteenth day of April, besides the fees of such collector, by distress and sale of goods and chattels of the person against whom the said warrants shall be issued, or of any goods and chattels in his possession, wheresoever the same shall be found within said county, and to pay the same to said county treasurer and return such warrant within twenty days after the date thereof, and that a sale of property to be made to such goods and chattels so found in the possession of the said party shall be available to prevent a sale. After the return of any warrant the county treasurer, if he deem expedient, may issue a second or subsequent warrant for the taxes still remaining unpaid, with such per centage and interest and costs as aforesaid. Every collector shall hold his appointment during the pleasure of the county treasurer and may, at any time be removed or suspended by

him, and the county treasurer and his sureties shall be liable for any collector and for all money that may be collected or received by him. No warrant shall be delivered to any collector until he shall have executed and deposited with the county treasurer, with two or more sureties, approved by said treasurer, and acknowledged in the manner required for the recording of conveyances of real estate, and conditioned for the faithful performance of his duties as a collector of the taxes specified in such warrant, and for the faithful accounting and paying over to the treasurer of all moneys that he may collect or receive under such warrant, if any collector shall fail to return any warrant issued to him, as herein required, or shall fail to pay over to said treasurer all money collected or received by him, or shall fail to render a full and true account thereof to the supreme court or any justice thereof, shall have no action, on proof by affidavit or otherwise, summarily to enforce such return, payment or accounting, or all, as the case may be, by attachment and proceedings thereon, in the same manner as if such collector was a sheriff or officer of that court; the interest and additional per centage shall be paid to the county treasurer with the tax, and shall be added to the contingent fund of said county. The said treasurer, immediately after receiving the bond of any collector, shall file the same in the office of the clerk of Monroe county, and the same shall be a lien upon the real estate of any person executing the same, situated in said county; said collectors shall have full power and authority to execute such warrants in any part of the county. If any such collector shall neglect and refuse to pay over any money collected by him, he shall be deemed guilty of a misdemeanor.

§ 120. The said collectors shall give a public notice of the time and place of sale of the property to be sold, at least six days previous to the sale, by advertisement to be posted up in at least three public places in the ward or town where such sale shall be made. The sale shall be by public auction.

§ 121. If the property distrained shall be sold for more than the amount of tax and per centage and interest, and the cost of such distress and sale, the surplus shall be returned to the person in whose possession such property was when distress was made, if no claim be made to such surplus by any other person; if any other person shall claim such surplus, on the ground that the property sold belonged to him, and such claim be admitted by the person for whose tax the same was distrained, the surplus shall be paid to such owner; but if such claim be contested by the person for whose tax the property was distrained, the surplus money shall be paid by the collector to the county treasury, there to be retained as a special deposit until the rights of the parties shall be determined by due course of law.

§ 122. It stands upon which the said county taxes shall remain unpaid on the first day of June shall be liable to be sold for the taxes thereon in the following August, as provided by "An act to authorize the treasurer of Monroe county to sell property for unpaid taxes," passed April six, eighteen hundred and seventy-seven."

TITLE VI.

SCHOOLS AND BOARD OF EDUCATION.

§ 123. The several wards of the city of Rochester shall constitute one school district for all purposes except as herein otherwise provided, and the schools herein shall be free to all children between the ages of five and twenty-one years residing in such wards.

§ 124. The title of the school house, sites, lots, furniture, books, apparatus and appurtenances, and all other school property in this act mentioned, shall remain and continue to be in the said city of Rochester.

§ 125. The common council of said city may, upon the recommendation of the board of education hereinafter mentioned, sell any of the school houses, lots or sites, or any other school property now or hereafter belonging to said city, upon such terms as the said common council may deem reasonable. The proceeds of such sales shall be paid to the treasurer of the city, and a contract may be made with the owners and expended in the purchase, repairs, or improvements of other school houses, lots, sites or school furniture, apparatus or appurtenances.

§ 126. 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 the powers and duties conferred upon them by virtue of this act. They shall meet on the first Monday of each and every month, and as much oftener as they shall from time to time appoint; a majority of said board shall constitute a quorum for the transaction of business. The said board shall appoint one of their number president, who shall preside at all the meetings of said board, and shall have power to call special meetings of the board, in the manner prescribed by

this act, for the calling of special meetings of the common council. In the absence of the president, the board shall appoint some other member to preside at such meetings and perform the duties of the president. No member of said board of education shall, during the period for which he was elected, be appointed to, or be competent to hold, any office of which the emoluments are paid from the city treasury or paid by fees directed to be paid by any act or ordinance of the board of education, or be directly or indirectly interested in any contract as principal, surety, or otherwise, the expenses or consideration whereof are to be paid under any ordinance, resolution or order of the board of education.

§ 127. The said commissioners shall appoint a city superintendent of common schools, who may hold his office during the pleasure of the board, and whose compensation shall be fixed by the said board, and whose duties shall be prescribed by said board. The superintendent shall officiate as clerk of the board, and shall keep a record of the proceedings of the board. The said record of transcript thereof, certified by the president and clerk, shall be received in all courts as prima facie evidence of the facts therein set forth, and such records and all the books, accounts, vouchers and papers of said board shall at all times be subject to the inspection of the common council and of any committee thereof.

§ 128. The said commissioners may appoint a policeman who shall hold his office during the pleasure of said board, and whose salary shall be fixed and paid by the common council, from the funds raised for the use of the board of education, and who shall have the same powers as the other policemen of said city, and shall perform such duties as said board of education may impose.

§ 129. The common council of said city shall have the power, and it shall be their duty, to raise from time to time by tax, to be levied equally upon all the real and personal estate in said city, which shall be liable to taxation in addition to other taxes, or for city or county charges, such sum or sums of money as may be necessary for any or all of the following purposes:

1. To purchase, lease or improve sites for school-houses.

2. To build, purchase, lease, enlarge, improve, alter and repair school-houses, and their out-houses and appurtenances.

3. To purchase, improve, exchange and repair school apparatus, books, furniture and appendages.

4. To procure fuel and defray the contingent expenses of the common schools.

5. To pay the wages of teachers due after the application of the public moneys which may by law be appropriated and provided for that purpose, provided nevertheless that the tax to be levied on said city, and collected by virtue of this act shall be collected at the same time and in the same manner as the other city taxes.

6. The amount to be raised for teachers' wages and contingent expenses in any one year shall not be less than six dollars nor more than thirteen dollars per capita, based on the average daily attendance of resident pupils in the several public schools of said city, for the school year ending on the first day of May next preceding the levying of the general city taxes in each and every year. A sworn statement of such average daily attendance shall be made by the superintendent of schools according to the verified monthly reports of the principals of said schools. Nor shall the amount to be raised in any one year to lease, alter, improve and repair school-houses, and their out-houses and appurtenances, exceed five thousand dollars. Nor shall the amount raised in any one year to purchase and improve sites and build or enlarge school-houses exceed fifteen thousand dollars; and the common council of said city are authorized and directed, when necessary, to raise by loan, in anticipation of the taxes, the money to be raised, collected and levied as aforesaid.

§ 130. All moneys to be raised pursuant to the provisions of this act, and all school moneys by law appropriated to or provided for said city, shall be paid to the city treasurer thereof, who, together with the sureties upon his official bond, shall be accountable therefor in the same manner as for other moneys of said city. The said city treasurer shall be liable to the same penalties for any official misconduct in relation to the same moneys as for any similar misconduct in relation to other moneys of said city.

§ 131. The said board shall have power and it shall be their duty to—

1. To establish and organize in the several wards of said city such and so many schools (including the common schools now existing therein) as they shall deem requisite and 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 as they may deem advisable.

4. To purchase, exchange or improve and repair school apparatus, furniture and appendages, and to defray their contingent expenses.

5. To have the custody and safe keeping of the school-houses, out-houses, fences, books, furniture and appendages, and to see that the ordinances of the common council in relation thereto be observed.

6. To contract with, license and employ all teachers in said schools and at their pleasure remove them.

7. To pay the wages of such teachers out of the moneys appropriated and provided by law for the support of schools in said city, so far as the same shall be sufficient, and the residue thereof from the money authorized by this charter to be raised for that purpose by tax upon said city.

8. To defray the necessary contingent expenses of the board, including an annual salary to the superintendent.

9. To have, in all respects, the superintendence, supervision and management of the common schools in said city, and from time to time to adopt, alter, modify and repeal, as they may deem expedient, 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 their good order, prosperity and public utility.

10. 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, to report the same to the common council.

11. To prepare and report to the common council such ordinances and regulations as may be necessary or proper for the protection, safe keeping, care and preservation of the school-houses, lots and sites and appurtenances, and all the property belonging to the city connected with or appertaining to the schools, and to suggest proper penalties for the violation of such ordinances and regulations, and, annually, on or before the sixteenth day of May in each year, to determine and certify to said common council the sums, in their opinion, necessary or proper to be raised for the several purposes hereinbefore mentioned, specifying the sum required for the year commencing on the first Monday of September thereafter, for each of the said purposes, and the reasons therefor.

12. On or before the second Tuesday of October in each year, to make and file with the county clerk, or such officer as may be designated by law, a report in writing, bearing date the first day of October in that year, and stating:

1. The number of school-houses in said city, and an account and description of all the common schools kept in said city during the preceding year, and the time they have been severally taught.

2. The number of children taught in said schools respectively on the last school day of September previous.

3. The whole amount of school moneys received by the city treasurer of said city during the year preceding, distinguishing the amount received from the county treasurer from the city tax and from any other source.

4. The manner in which such moneys have been expended, and whether any, and what part, remain unexpended, and for what cause.

5. The amount of money received for tuition fees from foreign pupils during the year, and the amount paid for teachers wages, in addition to the public moneys, and such other information relating to the common schools of the said city as may from time to time be required by the state superintendent of common schools.

§ 132. The said board of education shall have power to allow the children of persons not resident within the city to attend any of the schools of said city, under the care and control of said board, upon such terms as said board shall, by resolution, prescribe, fixing the tuition which shall be paid therefor.

§ 133. 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; and they shall apply the moneys raised and received by them for the support of common schools in said city in such a manner as shall secure equal educational advantages to all the children over five and under twenty-one years of age, by continuing the schools in each district an equal period as near as may be.

§ 134. The said board of commissioners shall be trustees of the school library or libraries in said city and all the provisions of the law, which are now or hereafter may be passed, relative to the district school libraries, shall apply to the said commissioners. They shall also be vested with the same discretion as to the disposition of all moneys appropriated by any laws of

this state for the purchase of libraries which is therein conferred upon the inhabitants of school districts. It shall be their duty to provide for the safe-keeping of the libraries. The city superintendent shall be the general librarian. The board shall also appoint a librarian for each school, to have the care of the books and to superintend the letting out and return thereof. The several school librarians shall, from time to time, inform the general librarian of the state and condition of the libraries, and the said board, or the general librarian, under the direction or by the resolution of the said board, may make all purchases of books for the libraries and provide for their equitable distribution among the schools, and exchange or cause to be repaired the damaged books belonging thereto, and also to sell any books which may be deemed useless and apply the proceeds to the purchase of other books for said libraries.

§ 135. It shall be the duty of the said board, at least twenty days before the annual city election for commissioners in each year, to prepare and report to the common council true and correct statements of the receipts and disbursements of money under and in pursuance of provisions of this act, during the preceding year, in which account shall be stated under appropriate heads:

1. The moneys raised by the common council under the provisions of this title.

2. The school moneys received by the city treasurer from the county treasurer or the state.

3. The moneys received by the common council under the provisions of this title.

4. All other moneys received by the city treasurer subject to the order of the board, specifying the same, and sources.

5. The manner in which such sums of money shall have been expended, specifying the amount paid under each head of expenditure. And the common council shall, ten days before each election, cause the same to be published in at least two of the newspapers published in said city.

§ 136. The common council of the said city shall have the power to pass such ordinances and regulations as the said board of education may report as necessary or proper for the protection, safe-keeping, care and preservation of the school-houses, lots, sites, appurtenances and appendages, libraries and all necessary property belonging to or connected with the school's in said city, and to impose proper penalties for the violation thereof, subject to the restrictions and limitations contained in this charter; and all such penalties shall be collected in the same manner that the penalties for the violation of the city ordinances are by law collected, and when collected, shall be paid to the treasurer of the city and be subject to the order of the board of education in the same manner as other moneys raised pursuant to this charter.

§ 137. It shall be the duty of the common council, within fifteen days after receiving the certificate of the board of education, hereinafter required, of the sums necessary or proper to be raised for school purposes, 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 September thereafter for the purposes mentioned in said certificate, 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 amounts shall be subject to the disposal of the board of education.

§ 138. 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, by draft drawn by the president and countersigned by the clerk of said board, payable to the order of the person or persons entitled to receive such moneys; and said city treasurer shall keep the funds authorized by this title to be received by him separate and distinct from any other fund which he is or may by law be authorized to receive.

§ 139. The said board of education shall possess all the powers and be subject to all the duties and responsibilities of trustees of common schools in the towns of this state in respect to the schools mentioned in the last preceding section, so far as the same are applicable and are not inconsistent with this act, and shall pay the compensation of the teachers of the said schools, and all other expenses thereof out of the moneys raised by tax under this act for the support of common schools.

§ 140. No member of the board of education shall vote for the payment of any money out of any of the funds authorized to be raised by this title of the city charter, knowing that such fund is without money to pay the same; and any person violating this provision shall be guilty of a misdemeanor; and upon conviction thereof, shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the Monroe county penitentiary for the period of ten days. And the district attorney of the county of Monroe is hereby specially directed, and it shall be his duty to prosecute all persons violating this provision upon the complaint of any taxpayer of said city.

§ 141. Whenever said board of education shall have established, in connection with the public schools of said city, a high school for the accommodation of pupils pursuing the branches of education usually taught in academies, the regents of the university of the state of New York may, upon the application of said said board of education, acknowledge and declare said high school to be an academy; and it shall thereafter be an academy, subject to such rules and regulations as such regents may prescribe; provided, however, that nothing in this section shall affect the rights and duties of said board of education, granted or imposed by this act, or the statutes of this state relating to common schools.

TITLE VII.

THE EXECUTIVE BOARD, STREETS AND IMPROVEMENTS.

§ 142. There shall be an executive board of the said city which shall consist of three members, who shall be electors and freeholders of the said city chosen by the electors of the city, each to hold his office for the term of three years, commencing on the first Monday in April next after his election, except as herein-after provided. The members now in office of the water-works and fire board, and of the executive board (not of which boards are merged in the executive board hereby created), shall be members of this executive board until the expiration of their terms of office respectively, and each shall continue to receive the same salary as heretofore.

§ 143. At the annual charter election in the year one thousand eight hundred and eighty, there shall be elected, by the electors of the whole city, one member of the executive board, who shall hold his office for the term of three years. At the annual charter election to be held in the year one thousand eight hundred and eighty-one, there shall be elected, by the electors of the whole city, two members of the executive board, one for the term of three years, and one for the term of one year, each voter designating on his ballot the person voted for as such member "for three years," and the person voted for as such member "for one year." The person receiving the greatest number of votes "for three years" shall be elected such member for three years, and the person receiving the greatest number of votes "for one year" shall be elected such member for one year. At every annual charter election thereafter, there shall be elected, by the electors of the whole city, one member of the executive board, who shall hold his office for the term of three years.

§ 144. The term of office of every person so elected, as above provided, to be a member of the executive board, shall commence on the first Monday of April next after his election, and the period of a year, as hereinbefore applied to the terms of office of the members of the executive board, shall be construed as extending from and including the first Monday of April in one year to and including the first Monday of April in the next year thereafter.

§ 145. Whenever a vacancy shall occur in such board a person shall be elected, by the electors of the whole city, to fill such vacancy, for the unexpired term, at the next charter election occurring more than ten days after the happening of the vacancy, except as herein-after provided. If the vacancy shall happen more than one month before such charter election at which a person can be so elected to fill the vacancy, the mayor may appoint, subject to confirmation by the common council, a person to fill the vacancy until a person shall have been elected at such charter election or the whole unexpired term, and shall have duly qualified. But if the case should be one in which the unexpired term of the vacant office extends only to the first Monday of April next after such charter election, as aforesaid, then there shall not be any election, by the people, to fill the vacancy, but the person appointed hereafter elected or appointed by the common council shall hold the office for the whole unexpired term.

§ 146. No person shall be competent to hold the office of a member of the executive board unless he be an elector and freeholder of the said city.

§ 147. The salary of each member of the executive board hereafter elected or appointed, shall be at the rate of two thousand dollars per annum.

§ 148. All the lawful expenses of the said board, and all the accounts and demands lawfully contracted by

that board shall be by it examined, audited and settled and then certified to the common council for payment, and the same shall be paid by the common council out of the proper funds raised for the executive board, excepting only that moneys to be disbursed for labor to the amount of not more than one thousand five hundred dollars in any one week may be drawn by orders or warrants made by the executive board directly upon the city treasurer, who shall pay the same when there are funds for that purpose.

§ 149. The executive board shall have sole power to let all contracts to be made by said city in pursuance of an ordinance, except such as are by law directed to be otherwise made, and shall superintend the execution of the same, and shall have the superintendence and control of all work or improvements ordered by the common council, and shall have control of the construction, improvement, repair and cleaning of streets, alleys, sewers and bridges, except bridges owned by the state of New York, and shall have control of the expenditure of the funds thereof; but whenever the expense of any such work or improvement shall be required to be defrayed by a local assessment the common council of said city shall alone have power to pass any ordinance therefor. The members of the said board shall give their entire time to the duties of the office, and they shall be commissioners of highways of said city. The executive board may appoint and at pleasure remove a superintendent of streets, fix his compensation and prescribe his duties.

§ 150. The executive board shall have control of the water works of said city and of the construction of all extensions and additions, improvements and repairs of same, and of furnishing the water to citizens, and of the care and repair of said works, and to the end shall have the powers granted to the board of water commissioners of said city by section three of chapter seven hundred and fifty-four of the laws of eighteen hundred and seventy-three, and they may make such rules and regulations and establish such rates for the use of water as they may all deem proper. All moneys received for water rates or the use of water shall, at the close of each day, be paid to the city treasurer.

§ 151. The executive board shall also have the care and control of the fire department of the said city and of the expense thereof.

§ 152. The executive board may employ such assistants and establish such by-laws for its meetings and proceedings as it may see fit, provided they be not in conflict with any provisions of this charter or other law.

§ 153. Each member of the executive board shall take the oath of office required of other city officers within five days after being notified of his election or appointment; and a failure to do so shall be deemed a refusal to serve. Each of said members shall give a bond in such amount and with such sureties as the mayor may approve, conditioned for the faithful performance of his duties.

§ 154. The executive board may remove by a vote of two-thirds of all the members elected of the said council, but notice in writing shall be given of the charges made, and he shall have an opportunity to be heard in his defense. The said board shall make monthly reports to the common council of their expenditures and the condition of the funds under their control. They shall keep a record of their proceedings and of all receipts and expenditures, which shall be published in at least one daily paper in said city. On or before the first day of June in each year the said board shall present to the common council a statement of the moneys needed by such board for the fiscal year, specifying the purposes for which it shall be used. It shall be the duty of the common council, after receiving such statement, to raise such an amount of money as the common council may deem necessary for the said board, with the other general city taxes, such moneys and the moneys received for water rates and the use of water shall only be paid out by the order of the common council on the certified resolution or orders of the said executive board, except as otherwise provided.

§ 154. The executive board shall have power to appoint a clerk of the board, to hold during its pleasure, and to fix his compensation, and he shall keep a record of all the proceedings of the board and perform such other duties as the board may prescribe.

§ 155. The executive board shall not expend in any fiscal year a greater sum than twenty-five thousand dollars for extensions, additions and improvements of water works, or the laying of pipe in the care of the board, without the authority of the common council expressed by a resolution or order adopted by the concurring votes of a majority of all the aldermen. The streets and places of extensions and additions of water pipe shall be, from time to time, recommended by the executive board to the common council, who shall have power to approve or alter the same, and the same shall not be otherwise constructed than as determined by the common council.

§ 156. The executive board, with the concurrence of the common council, may purchase and take title to the city of any property or real estate within or without the city limits, which they may deem necessary or desirable for the protection or improvement of the water-works.

§ 157. The executive board of the city of Rochester, or their successors in office, may enter upon any road, street, bridge, highway or public square in said city, for the purpose of laying down pipes for the conveyance of water, or constructing, repairing, altering, maintaining or extending any portion of the water-works of said city, and may, for said purpose, carry, construct and maintain any aqueducts, pipes or other work by them to be made, laid down or conducted, over, under, through or across any water-course, canal, street, bridge, railroad, highway or public square in such a manner as not to obstruct travel or the free use thereof, only so far as may be necessary during the actual construction of work; provided, also, that such water-course, canal, street, railroad, highway or public square so entered upon shall be restored by them in as good condition as before.

§ 158. It shall be the duty of the said board, or their successors in office, and authority is hereby given them, to fix and adjust, from time to time, in an equitable manner, the prices and rates which shall be paid to said city for the use and consumption of water supplied by water works, and to collect and receive the amounts which shall become due for the same, and establish such needful regulations as shall enable them to enforce collection of said water rates, if not paid when due, and also such other regulations as they may deem necessary for the management, maintenance or protection of said water works, and to sue for and collect any and all penalties which may be imposed for violation of such regulations, provided that no penalty exceeding two hundred dollars shall be imposed for any violation. The proceeds of the water rates, in whatsoever manner collected, for the use and consumption of water, and the penalties collected, shall be deposited with the treasurer of said city and be reserved and used exclusively for the payment of operating expenses, salaries, repairs, maintenance or extension of said works, of the interest upon the water bonds issued for construction of said works, or for further extension of the same, or for a sinking fund for payment of principal of said water bonds, but for no other purpose whatever.

§ 159. Any person who shall wilfully do, or cause to be done, any act whereby any work, materials, or property whatsoever, erected or used by the city of Rochester, for or in connection with the water works of said city, shall be impaired or injured, or shall divert, draw down or diminish the waters of Hemlock or Canadice lakes without authority of law, or shall in any way interrupt or prevent the flow of water through the water mains, pipes or service of said works, or shall throw, deposit, place, cast, pass or cause to be deposited, or placed, deposited or placed in the waters of said Hemlock or Canadice lakes, or into any reservoir, conduit, aqueduct or pipe belonging to said works, any dead animal, ordure or deleterious, offensive, filthy, impure or obstructing matter, thing or liquid, or who shall place any of said described matter, thing or liquid, so that the same may be washed or carried or flow into either of said lakes or any conduit, pipes or aqueducts supplied with water therefrom, shall be liable to prosecution for misdemeanor, and on conviction shall be punished by fine of not exceeding two hundred dollars, or imprisonment of not exceeding one year, or both.

§ 160. Any person who shall, without consent of the executive board or their authorized agents, tap, open or connect with any water pipe, or open any hydrant, valve or stop-cock connected with said water works, without said consent, or the consent of other properly authorized parties, or shall leave open any valve, faucet, stop-cock or other fixture for continuous flow of water, and through which there shall be continuous flow, beyond what may be necessary for actual use, or the purposes required in connection with such hydrant, valve, faucet, stop-cock, or other fixture, shall be guilty of a misdemeanor, and be, on conviction, punished by fine of not exceeding two hundred dollars.

§ 161. It shall be the duty of the said board on or before the first day of May, in each year, to make and deliver to the assessors of said city a complete statement of each and all unpaid water rates, with a description of the lot, building or real estate, and the name of the owner of the same, and the amount used for which water rates are and remain due and unpaid; whereupon the said water rates, and the amount thereof, together with ten per cent interest from the date when they were due, shall become a lien and tax upon, building or real estate, in the same manner as other city taxes, and shall be collected in the same manner as is or may be prescribed by law for the collection of taxes for city purposes of the city of Rochester.

§ 162. In case the city of Rochester is unable to obtain by purchase the title to any lands, waters, lakes, springs, ponds or streams, or any easement in, or right of temporary occupation of such lands, waters, lakes, springs, ponds or streams, which may be necessary for the use of the water-works of said city, or for the use and purposes of sewers, or of dumping rubbish and dirt, the executive board of said city shall be and hereby is authorized, in and with the consent of the common council, to proceed to acquire such title or other rights in and to such lands, waters and property, for and in behalf of said city, in the manner prescribed in and by the act to authorize the formation of railroad corporations, and to regulate the same, passed April second, eighteen hundred and fifty, as heretofore amended and for that purpose all the provisions of the last mentioned act, and of the acts amendatory thereof, are hereby made applicable to proceedings under this act. And in case the said city of Rochester shall seek to acquire any lands or any easement, water or other right of privilege in or connected with, any lands which shall belong to any corporation having the right of taking private property for a public use, commissioners of appraisal shall not be appointed, unless it shall appear to the court that the title, right, interest, water right, easement or privilege so sought to be acquired, does not embrace any of the special corporate rights, privileges or franchises granted to the corporation owning such lands or other rights, nor anything which is essential to the exercise and enjoyment of such corporate rights and privileges. And in case commissioners are appointed by the court, the city of Rochester shall acquire no greater or other rights by the proceedings than it would have acquired if the property or privilege sought had belonged to a private individual; and in the estimate of damages made by such commissioners of appraisal, nothing shall be included for any corporate right, interest, privilege or franchise of that corporation owning the property to be taken, but the same shall be estimated and paid as if the property belonged to some private individual.

§ 163. Whenever any street, alley or lane shall have been opened to and used as such by the public for the period of five years, the same shall thereby become a public street, alley or lane for all purposes, and the common council and executive board, respectively, shall have the same authority and jurisdiction over, and right and interest in, the same as they have by law over the other streets, alleys, lanes and highways of the city.

§ 164. In every case where a street in said city has been, or shall be, encroached upon by any fence, building or otherwise, the executive board may cause the same to be surveyed, and the extent of such encroachment ascertained, and may by resolution, specifying the nature of such encroachment and the extent thereof, require the owner or owners, if known, and if unknown, the occupant or occupants of the premises so encroaching or adjoining such encroachment, to remove the same within such time as shall be specified in such resolution, which time shall not be less than ten days from the passage thereof. A copy of such resolution shall, within two days after the passage thereof, be served by or under the direction of the superintendent of streets, or such other person as the said board shall direct, upon the owner or owners, occupant or occupants of the premises aforesaid. If such removal shall not be made within the time specified in such resolution the owner or occupants of said premises upon whom a copy of such resolution shall have been served, as hereinbefore required, personally, or by leaving it at his place of residence with some person of suitable age, shall forfeit to said city the sum of five dollars for every day after the time mentioned in said notice that such encroachment shall continue unremoved; and the said board may remove, or cause to be removed, such encroachments, and may collect of such owner or occupant all reasonable charges therefor, with costs, in any court having jurisdiction of civil actions, and, upon a judgment rendered in such action, execution may issue against the person of the defendant in said action. But no encroachment upon any street, alley or lane of said city, however long continued, shall constitute an adverse possession to, or confer any rights upon the person claiming thereunder, as against said city. This section and last preceding section shall apply to alleys as well as streets, and to obstructions as well as encroachments.

§ 165. If any person upon whom a copy of such resolution shall have been served shall, within five days after such service, file with the clerk of said city a notice that he objects to any such encroachment, the mayor or attorney of said city may apply to the county judge of Monroe county for a precept directed to the sheriff of said county, commanding him to summon twenty-four freeholders of said city, to be named in said precept, to meet at a certain day and place specified therein; not less than two days after the issuing thereof, to inquire into the premises. The said mayor or attorney shall give the person or persons denying

such encroachment at least twenty-four hours' notice of the time and place at which such freeholders are to meet. On the day and at the place specified in such precept a jury of twelve persons shall be drawn by said judge from those so summoned, and who shall appear, which jury shall be sworn by said judge well and truly to inquire whether any such encroachment has been made to what extent and by whom. Said county judge shall preside at such investigation and shall decide all questions of law that may arise upon the evidence offered by either party thereto, and may give instructions to the jury as to the law of the case as in civil actions. The jury shall hear the proofs and allegations that may be submitted by either party. If they shall find that any encroachment has been made they shall make and subscribe a certificate in writing, stating the particulars of such encroachment, and by whom made, which shall be filed by said judge, with a brief record of the proceedings made and subscribed by him, in the office of the clerk of said city. The person or persons so denying such encroachment, within ten days after the finding of such jury, that there is an encroachment, shall, under the penalty provided in the next preceding section, remove the same, or in case of neglect so to do, the executive board, or the superintendent of streets, may proceed to remove the same and collect the charges therefor in the manner provided in the next preceding section. If the jury find that no encroachment has been made they shall so certify.

§ 166. The persons summoned as jurors, and the persons summoned and attending as witnesses, shall be entitled to the same fees as jurors and witnesses summoned to attend courts of record in this state. The party prevailing in such proceedings shall recover costs as against the other, which costs shall be ascertained and certified by the said judge, and collected by a warrant issued by him to the sheriff of the county of Monroe, commanding him to collect the same of the goods and chattels of the party against whom the warrant shall issue. Such costs shall consist of the sheriff's jurors and witnesses' fees, and such an amount as the said judge shall allow for attorney's fees, not exceeding twenty dollars.

§ 167. Any determination in a proceeding instituted by virtue of the foregoing sections may be removed to the supreme court by the party aggrieved thereby, by certiorari, to be allowed by any judge of the supreme court, within thirty days from such determination, but such certiorari in favor of any owner or occupant shall not be allowed in favor of any owner or occupant, unless the party suing out the same shall execute, with two sureties, to be approved by the judge allowing such certiorari, an undertaking conditioned to pay all costs and damages against him on such certiorari, which undertaking shall be filed with the Monroe county clerk. The allowance of such certiorari, and the giving and filing of such undertaking shall stay all proceedings under and by virtue of such determination from and after notice thereof to the respondent. The return upon such certiorari shall be made by said county judge, and the same shall be entitled to a preference over other cases on the calendar at any general term of the seventh judicial district. The court, upon the hearing of the same, may review any determination made by the said judge during such proceeding, and the correctness of the finding of such jury. Costs may be allowed as in other cases of certiorari.

§ 168. The common council shall have the power, subject to the restrictions and limitations hereinafter contained,

1. To make or cause to be made sewers, tunnels, drains and vaults, arches and bridges, wells, pumps and reservoirs in any part of the city, and to make such ordinances for the regulation, protection and preservation of the same, as may be deemed advisable.
2. To cause the grading, repairing, cleaning, macadamizing, planking or paving any of the streets, alleys and squares or rates in the said city, and the fencing of the public squares.
3. To lay out, make and open any street, alley, square, park or walk in the said city, and to cause any street, alley, square, park or walk already laid out, or that may hereafter be laid out or used as such, to be opened to towns with respect to roads in towns; and the same proceedings shall be had, and the same appeal shall lie, from the decision of the said executive board, and the same proceedings shall be had on such appeal as are now provided by law in reference to towns, so far as applicable.
5. The common council shall also have power, from time to time, to cause all or any accumulations of dirt, rubbish and deposits in any por-

tion of the Genesee river, within the limits of said city, to be removed therefrom; and may defray the expense thereof, in whole or in part, by assessment upon such lots and parcels of land in the said city as the common council may deem proper to be assessed therefor. The proceedings in such case shall be the same as are hereinafter provided in relation to public improvements the expense whereof is defrayed by local assessments, and the same proceeding shall be had after the delivery of the certified order of assessment as are prescribed in relation to assessments for any such public improvements, and in relation to the collection and enforcement of the same, the lien thereof and the sale of land for such assessments as may remain unpaid, and in relation to reassessment for any deficiency in the estimated expense.

6. Whenever any contract shall be let for any public or local improvement, the contractor shall execute to the city of Rochester a bond or undertaking in the sum of not less than the amount of the contract (or to be fixed by the executive board, in such case amount to be indefinite) with three or more sureties, who shall be approved by the mayor and the board of directors, shall, before being accepted, make oath and justify that he is worth the sum named in said bond or undertaking, over and above all debts and liabilities, and exclusive of property exempt from sale on execution. Or if the said amount shall exceed ten thousand dollars, each surety may so justify to any agent or notary public, and the said sureties shall be the aggregate of the amount to which the sureties so justify, severally, shall be at least the amount of the contract. Such bond or undertaking, before being accepted, shall be approved, as to form and the sureties thereon, by the mayor; and no contract shall be binding on the city until a bond or undertaking so executed and approved by the mayor and the board of directors, to be safely kept in his office for the benefit of the parties secured thereby. Such bond or undertaking shall bind the contractors to pay, or cause to be paid, the wages and compensation of all laborers who shall be employed in work on or about such improvement, whether employed by him or any sub-contractor or employee, and the wages and compensation of such laborers or undertakers shall be brought by and in the name of the laborer or laborers claiming to be secured thereby, and separate actions may be brought by each or any number united of such laborers, or one action by all; but the city shall not, in any manner, be liable or responsible by reason of such bond or undertaking, or for any costs or expenses of any action or proceeding thereon. No action shall be commenced on such bond or undertaking after six months from the time when the cause of action accrued; and after the expiration of six months from the time when the whole work contracted shall be accepted by the city, the said board, on application, shall, by resolution, declare such bond or undertaking canceled and discharged, except as to actions, appeals and proceeding then pending; and such bond or undertaking shall thereupon cease to have any binding force or effect, except as to pending cases as aforesaid.

7. The common council are hereby authorized to cause the whole or any part of any street in said city to be sprinkled with water, and may pay the expenses thereof by an assessment upon the lots or parcels of land fronting on such streets, or any specified part thereof, in proportion to the feet front thereon. The proceedings of said common council in relation to said work, and for the assessment and collection of the expense thereon, shall be conformed, as near as may be, to the proceedings in relation to making local improvements and collecting the expense thereof, as now required from the persons owning or occupying the lots to be assessed.

§ 169. The common council shall not lay out any street, alley, square, park or walk, or alter any such as may already be laid out or used, or cause to run any such as may already be built, or any other public improvement, which shall be of the value of five thousand dollars, without having obtained the consent of the owner of such building in writing, or without having purchased such building.

§ 170. Whenever, by order of the common council, any new street or alley shall be laid out, opened or altered in said city, or any other public improvement is to be made, it shall be the duty of the common council to determine what portion, if any, of the expense thereof ought to be paid from the public treasury, and what portion, if any, ought to be paid by a local assessment, and to direct that the whole expense to be paid by a local assessment be assessed upon all the lots and parcels of land to be benefited thereby in proportion to the benefit which each will derive therefrom. The common council may maintain, improve, embellish and protect any public park, square or area in said city, and grade, sewer and pave the streets and alleys, and make, grade and improve sidewalks about the same, or any part thereof. And they may cause the whole expense thereof to be assessed upon all the lots and parcels of land where the parks, squares or

areas are situated, in proportion to the benefit which each lot or parcel will derive therefrom.

§ 171. The common council shall not open or widen any street or alley, or make or ordain any work or improvement, the expense whereof is to be defrayed in whole or in part by a local assessment, except upon a petition of a majority of the owners of property to be assessed therefor, unless three-fourth of all the members elected to said common council vote thereon after allegations have been heard. No improvement which shall be covered by letters patent shall be adopted, except upon the petition of two-thirds of all the owners of property to be assessed therefor.

§ 172. Before the common council shall determine to make any such public improvement, they shall cause an estimate thereof to be made, and shall, by an entry in their minutes, describe the portion and part of the city which they deem proper to be assessed for the expense of such improvement. In cases where the taking of land is necessary, it shall not be necessary to include the damages and charges therefor in the estimated expense. They shall cause a notice to be published in the daily papers of the city of Rochester, for four days, which notice shall specify such improvement, the estimated expense thereof, the amount, if any, to be paid from the public treasury, and the portion or part of the city to be assessed for the rest of the expense; and shall require all persons interested in the subject-matter of such improvement to attend the meeting of the board of directors appointed in such notice. At the time appointed in such notice, the said council shall proceed to hear the allegation of the owners and occupants of houses and lots situate within the portion or parts of the city so described as aforesaid, and, after hearing the same, shall make such further order in respect to such improvement as they shall deem proper. The board of directors is hereby directed to cause a notice to be published in one or more of the daily papers of said city, at least ten days before the letting of any contract, for sealed proposals therefor, each to be accompanied by a bond signed by at least two responsible sureties, conditioned that the person making such bid, if it is accepted, will pay and perform the work mentioned in such notice and fulfill any contract that may be made with him; such bids shall be opened on the day named in such notice. Said board may let any contract as it deems for the best interest of taxpayers, but it shall publish all bids received by it, and the person to whom contracts are awarded. Neither the principal or sureties on any bid or bond shall have the right to withdraw or cancel the same until the board shall have let the contract for which such bid is made, and the same shall have been duly executed. No contract shall be let for any improvement at a price greater than the estimate thereof made, as aforesaid.

§ 173. Whenever the common council shall determine to make any of the improvements hereinbefore in this title provided for, and the same shall be necessary for that purpose, they shall enter in their minutes a resolution or ordinance declaring such determination, containing a description of the land so deemed necessary; and also of that part or portion of the said city which will be benefited by said improvement, and the amount of the expense to be deemed necessary, if the owners thereof, or any one of them, shall be entitled to receive any such compensation as they shall judge reasonable; and thereupon shall receive from such owner a conveyance of such land to the city.

§ 174. In case no agreement for such purchase can be made, the common council shall cause a copy of such resolution, together with a map of the street, alley, square, park or other public improvement to be made and filed in the office of the city clerk, showing, on such maps, the lots, tracts and parcels of land which are deemed necessary to be taken, and the commencement, course and termination of the road, street, park or alley proposed to be laid out, widened or altered, and of the sewer or other work or improvement proposed to be made on or through the land so to be taken.

§ 175. The common council shall cause to be published for ten days, in a daily newspaper published in said city, a notice specifying and describing the land necessary for such public improvement and the portion of the city deemed to be benefited by the making thereof, and that an application for the same, to the county court of the county of Monroe, or to a justice of the supreme court to be held in the seventh judicial district at a time to be specified, for the appointment of commissioners to inquire into and to determine what damages and compensation the owner or owners of such land to be taken will be entitled to therefor, and that the common council shall, also, at least ten days before the time named for such application, cause a copy of such notice to be served upon each of the owners of the premises to be taken who are residents of the said city, or upon the occupants of such premises, either personally or by leaving the same at their several places of abode and upon the agent of any non-resident owner, provided such agent can be found in said city, and his name shall have

been entered in a book to be kept by the city clerk for that purpose.

§ 176. At the term of the court in such notice specified, the said court, upon filing proof by affidavit of the publication and service of such notice as is in the last section specified, or upon sufficient reason being shown for the omission to serve such notice, and up to hearing the city by its attorney, and also the parties interested, if desired, shall appoint no less than three nor more than five commissioners for appraisal, who shall be holders of said city not interested in any of the land described in such notice, nor of kin to any owner or occupant thereof.

§ 177. The said commissioners, so appointed, shall be sworn faithfully to discharge their duties according to the provisions of this act, without favor or partiality. They shall give public notice, by a notice published daily for ten days, in at least one of the newspapers authorized to publish corporation notices, of the time when, and place where, they will meet to enter upon their duties. At the time appointed, or any other time or times to which they may adjourn, they shall proceed to view the lands and premises proposed to be taken, and they may examine witnesses on oath, to be administered by either of them, and shall appraise the damage which the owner or owners, and if there be any occupants who are not owners, and if such occupants of the lands to be taken for such public improvements will severally sustain by being deprived thereof, and the compensation which they shall severally receive therefor.

§ 178. The said commissioners shall, as soon as convenient, make their report under their hands, or the hands of a majority of them, to the common council of said city, in which report they shall describe, with all practicable certainty, the several pieces and parcels of land, and the premises to be taken for such improvement, and the names and residences of the owner or owners thereof respectively, and the right of such owners so far as can be ascertained, and the amount of damages or compensation which should be paid to each of said owners and occupants. They shall also file duplicate copies of their report, one in the office of the city clerk and one, together with the testimony taken by them, in the office of the clerk of Monroe county. They shall be entitled to the sum of two dollars each as their compensation for each day on which they are actually and necessarily employed.

§ 179. Upon the filing of such report the said common council shall assign a time for hearing objections to the confirmation thereof, and at the time assigned shall hear the allegations of all persons interested, and may take proof in relation thereto from time to time, and shall confirm the said report, or may set the same aside and refer the matter to the same or to new commissioners to be appointed by the said court as before, who shall, thereupon, proceed as hereinbefore provided. But the common council may set aside said report and abandon said improvement at any time before the final confirmation of the assessment roll hereafter mentioned.

§ 180. If such report is not appealed from in thirty days as hereafter provided, or whenever such report is finally confirmed, the common council may take the lands and premises specified in the report of such commissioners, and which have been determined by the common council to be necessary for such public improvement, on paying the amount of damages or compensation awarded to the owners or occupants thereof in such report, or depositing the same in some bank in the city of Rochester to the credit of the person to whom the same was awarded.

§ 181. Whenever it shall be necessary the common council may borrow the whole or any portion of the damages so to be paid, and may cause to be executed, to secure the same, the note or other obligations of said city.

§ 182. When any damages shall be awarded and any assessment for benefits of the improvements, in respect to which such damages are awarded, shall be made upon the same person or persons, or in respect to the ownership of any entire parcel of land, a part of which shall be taken for such improvement, in that case the said city of Rochester shall become vested with the title of such land (free from all incumbrances) upon paying or depositing, according to law, the excess of the amount so awarded, over and above the amount so assessed.

§ 183. Any person considering himself aggrieved by any part of such report may, within thirty days after such confirmation, serve upon the mayor of said city a notice of appeal to the supreme court from the report and determination of said commissioners, and shall accompany such notice with a bond, executed to the said city by two or more sureties, to be approved by the mayor of the said city, or the county judge of Monroe county, in the penalty of one thousand dollars, conditioned for the diligent prosecution of the said appeal, and for the payment of all costs and charges which may be incurred by the said city in resisting the same and defending the said report, in

case the same shall be confirmed. A copy of such notice shall also be served at the same time upon the county clerk of Monroe county.

§ 184. The giving of such notice and delivering such bond shall suspend all further proceedings by the common council in relation to the taking of the lands and tenements, which shall be the subject of such notice, until a decision thereon, as hereinafter provided.

§ 185. The county clerk of Monroe county shall forthwith, after service of such notice upon him, certify to said supreme court, a copy of the report of said commissioners, with the proceedings and evidence had before them, filed with him by said commissioners.

§ 186. At any general or special term of the supreme court held in the seventh judicial district, the said appeal may be brought to hearing before said court upon eight days notice given to or by the said appellant.

§ 187. The said court shall consider the said appeal and examine all questions of law or of fact that may be involved therein, and shall give the same a preference over other causes, and shall continue annual or more frequent sessions as the said court shall deem just. In case of annulling the said report the said court may direct a rehearing before the same or other commissioners to be appointed by it, and in such case the same proceedings shall be had on such rehearing and for the examination, correction and review of any court report as are hereinbefore provided. The said court may direct that any other party besides said appellant and said city be heard before the decision of such appeal, when it shall appear that such party has any interest to be affected by the determination of said court.

§ 188. In case such appeal shall be brought to hearing at a special term of said court, either before or after by the order of said special term, an appeal therefrom to the general term of said court within ten days after notice of such order, by serving a notice of appeal in the usual manner of serving notices of appeal in said court, and if a party other than said city, by giving a bond conditioned and approved as is provided in section one hundred and seventy-four of this act, the said appeal shall be heard by the general term in the same manner as provided in the next preceding section, and the decision of said general term shall be final and conclusive.

§ 189. In case the said report so made shall be confirmed in the supreme court, either at the special term, or by the general term of said court, the obligors in the bond given to the said city, as before provided, shall be liable to pay to said city the same costs as are allowed upon appeal in civil actions, to be adjusted by the clerk of Monroe county; and in case the said report shall be corrected or modified, the supreme court shall determine, under the circumstances of the case, whether the applicant shall be entitled to his costs and expenses; and if the same be awarded to such applicant, they shall be the same as are allowed to said city, and be paid on adjustment by said clerk, by the common council of said city, as part of the contingent expenses thereof.

§ 190. Whenever the amount of damages for taking any lands and premises aforesaid shall be finally ascertained and fixed in the manner herein provided the common council may order that the assessors, if not interested in any of the property to be taken, and not of kin to any person to be assessed therefor, shall proceed to apportion and assess the estimated expense of the improvement, or the portion thereof to be assessed as aforesaid, with the amount of such damages, and all the costs and charges of the city in the proceedings, upon the lots and parcels of land within the territory deemed by the resolution of the common council to be benefitted by such improvement, as near as may be in proportion to the benefit which each shall be deemed to receive thereby. Before making such order the common council shall, by a public notice of at least four days, give the parties interested an opportunity to be heard.

§ 191. Upon such order, the said assessors shall, as speedily as may be, make and report to the common council an assessment-roll made in the usual form, in which roll they shall specify and set down in separate columns the names of all persons assessed, the description of the lots and parcels of land assessed, the amount to which each person shall be assessed, the amount of damages, if any, to which such persons are respectively entitled by the award of the commissioners, and the amount of the excess, if any, to be collected, which roll shall be delivered to the city clerk.

§ 192. Upon such assessment roll being made and filed, the common council shall assign a time when they will proceed to hear any complaints or appeals from the said assessment.

§ 193. At the time appointed for that purpose, and at other times to which the hearing may be adjourned, the common council shall hear the allegations and

proofs of all persons who may complain of such assessment, and may amend and correct the said assessment roll in whole or in part, or may set the same aside and direct a new assessment, either by the same assessors or by such other persons as they may designate, and in such case the same proceedings shall be had as are herein provided on the first assessment; or the common council may ratify and confirm such assessment without any corrections or with such as they may deem proper.

§ 194. When the said assessment shall have been confirmed, the mayor shall annex his warrant thereto, and the same shall thereupon be delivered to, and be collected by, the city treasurer, with fees of collecting added, as is prescribed in this title.

§ 195. Whenever the amount of any damages for taking any lands as aforesaid shall be finally ascertained and fixed, and the assessment roll shall have been finally confirmed, the common council shall, within four months thereafter, pay the amount of such damages to the owners and occupants of lands and tenements, or to persons having any liens thereon, to whom the same shall have been allowed, or deposit the same as hereinbefore provided; and in cases of such owners be unknown, non-residents of the said city, married women, idiots or lunatics, or of the right and interest of persons claiming the same, shall, in the opinion of the said common council, be doubtful, it shall be lawful for the common council in any such case to direct the amount of such damages to remain with the treasurer of said city, and it shall be the duty of such treasurer to hold the same to be used for the benefit of whomsoever may be entitled to the same.

§ 196. Until such damages shall be paid or said deposit made, or direction given, it shall not be lawful for the common council, or any of their officers or agents, to take or enter upon any lands or tenements for the taking of which any such damages shall have been allowed by the said city, shall not become obligated to take any such lands or tenements, nor to pay or deposit such damages therefor, nor shall the owners, occupants, or other persons having any liens thereupon, acquire any right to such damages, nor to be paid therefor, until the final confirmation of said assessment roll, as hereinbefore provided.

§ 197. Where the same is known to, or discovered by, the common council that the owner of any real estate or building appropriated in making any of the improvements herein provided for is an infant, a guardian for him or her shall be appointed by the county court, to act for such infant in the premises, which guardian shall be a responsible person, approved by the county judge. It shall be the duty of the court to appoint such guardian on application of the mayor or attorney of the city, or of the infant, or some person acting in his or her behalf, and which guardian, when so appointed, shall see that the rights of such infant or infants are protected.

§ 198. Whenever the common council shall determine that the amount of the expenses of any improvement not requiring the taking of any land by said city shall be defrayed by an assessment on the real estate to be benefited thereby, they shall declare the same by an entry in their minutes, and after ascertaining, as they think proper, the estimated expense of such improvement, they shall declare whether the whole or what portion thereof shall be assessed on such real estate, specifying the estimated expense and the portion of the city which they deem will be benefited by the improvement; when the estimate of the expense of such improvement to be assessed shall exceed, in the aggregate, the amount of two thousand dollars, the expense of such improvement to be assessed may be paid one-third in cash and the balance in the city's notes at one and two years, with interest not exceeding six per centum payable annually, and the city may get its notes discounted for a period not exceeding one year, with which to make such first payment. When such improvement is completed, the entire expense thereof and connected therewith shall be ascertained by the city treasurer, together with the interest paid on the orders or notes issued by the city to pay the expenses of such improvement, and interest on such sum shall be reckoned to the time the last installment of such assessment shall become due. The aggregate amount shall thereupon be reported to the common council, they to adjust and report to the assessors the amount to be assessed upon the property benefited as hereinafter provided, and it shall fix the time and place when such assessors shall meet for that purpose. Persons so assessed who shall make any payment previous to the maturity of said last installment therein, shall be entitled to a discount at the rate of six per centum; the common council may determine, at the time of fixing such amount to be assessed, if the sum shall exceed two thousand dollars, that the tax-payers pay their assessments in not more than three equal payments one-third within thirty days from the time that the treasurer shall advertise the same as herein-

after provided; one-third within one year, and one-third within two years from the confirmation of such roll. And in case the amount to be assessed, ascertained as aforesaid, shall exceed ten thousand dollars, the common council may determine as aforesaid that the tax-payers may pay their assessments in not more than five equal payments, one within thirty days from the time that the treasurer shall advertise the same, as hereinafter provided, and the balance within one, two, three and four years respectively, after such confirmation. The city treasurer may, in his discretion, issue his warrant for the collection of any part of such assessment that may have become due.

§ 199. The common council shall thereupon make an order reciting the amount of expenses to be assessed as aforesaid, and the portion or part of the city on which the same is to be assessed, and directing the assessors, if they are not interested in any of the property so benefited and not of kin to any person so interested, or if any, two of them are not so interested or of kin, then directing such two to make an assessment upon all the lots and parcels of land within the portion or part so designated, of the amount of expense in proportion, as nearly as may be, to the advantage which each shall be deemed to receive by the making of such improvement, which assessment shall be certified by the clerk of the city, and delivered to some one of said assessors, together with a map or profile.

§ 200. It shall be the duty of the assessors to meet together at such time and place as shall have been appointed by the common council, or as may be agreed upon by them, and thereupon severally to take and swear the oaths before so ordered, and to be sworn to take affidavits to be read in courts of record that they are not interested in the premises described in said order, not of kin to any person so interested, and that they will faithfully and impartially discharge the duty imposed upon them by the said order, which said oath shall be forthwith returned and filed with the clerk of the city. In cases where any assessor shall be unable to take such oath, the city clerk shall forthwith report the fact to the common council.

§ 201. If there shall not be at least two assessors found, indifferent as aforesaid, the common council shall appoint one or more special commissioners not interested and not of kin, as aforesaid, to act with the assessors so found, indifferent, or, in case no assessor shall be found indifferent, then to act separately, who shall be sworn as aforesaid. The common council also, in any and every case, instead of designating assessors to make any local assessment or to assess any damages, or to do any act, may appoint three special commissioners for such purpose, who shall be sworn and shall have the same powers and be subject to the same duties, and who shall proceed in the same manner as is provided in reference to assessors; and all provisions of law in reference to assessors of said city, and to their powers, duties and proceedings, shall apply to such special commissioners in each and every case of their appointment, except that the said special assessment rolls of said city shall be made by assessors only.

§ 202. The assessors or persons thus sworn shall proceed to make an assessment according to the said order, and shall make out an assessment roll, in which shall be entered the names of the persons assessed, so far as they can ascertain the same, the value of the property for which they are assessed, and the amount assessed to them respectively, with a brief description of the lots or parcels of land assessed. A designation of the lots or parcels of land so assessed, by any description sufficient to distinguish the same, shall be sufficient in making said assessment roll, without regard to the names of the owners or occupants.

§ 203. When assessments are made by persons other than assessors they shall receive such compensation for their services as shall be allowed by the common council, to be paid out of the contingent funds of the said city, not exceeding two dollars per day for each.

§ 204. Immediately after such assessment shall have been completed, the said assessors shall determine the time and place where they will first meet to hear the allegations and objections of all persons interested in said assessment, of which at least ten days' previous notice shall be given by publication in a daily newspaper of said city.

§ 205. At the time and place designated in such notice, the assessors or a majority of them shall meet and hear such allegations and objections, and the assessment books shall then be open for the examination and inspection of all parties interested. The assessors may adjourn from time to time, as may be deemed necessary, and they shall amend and correct such assessments as they may deem proper. When completed, the assessment roll shall be certified and sworn to by said assessors, or a majority of them, and shall be delivered to the clerk of said city, who shall report the same to the common council at its next meeting. Upon such return being made, filed and so reported the common council shall proceed to

hear allegations against or appeals from the said assessments, and may correct, confirm, set aside or refer to the committee on assessments, or order a new assessment to be made. If the same shall be referred to the committee on assessments, the said committee may proceed to hear allegations or objections upon five days' notice by publication, or may without such notice or hearing examine and report to the common council, who shall thereupon proceed to correct, confirm, set aside said report or order a new assessment.

§ 206. Every assessment so ratified by the common council shall be final and conclusive. It shall be sufficient, in every assessment, to designate the owners or occupants of the lots and parcels of lands intended to be assessed, either by name or as unknown, or to describe said several lots and parcels of land by any description by which they may be respectively distinguished. Every assessment so made shall create a personal obligation or liability against the owner of the lot or parcel of land assessed to pay the city of Rochester the amount of such assessment for the collection of which, together with interest, costs and expenses, said city may maintain, in its own name, an action in any court of competent jurisdiction, in addition to any other remedies now provided by law for the collection thereof.

CITY ASSESSMENTS.

§ 207. Whenever any assessment is confirmed by the common council, the assessment roll shall be delivered to the city treasurer, whose duty it shall be to give five days' public notice, by advertisement in two daily newspapers printed in said city, of the receipt of such roll, requiring the persons assessed, or the owners or occupants of the lots assessed, to pay the assessment to him at his office within thirty days from the first publication of said notice, except in cases where it has been provided that assessments may be paid in installments, and in such cases, within the time so provided.

§ 208. If such assessment or any installment thereof shall not be paid when the same becomes due, the city treasurer may issue a warrant therefor, with interest thereon from the time when due, besides collectors' fees; but no warrant shall be issued for the collection of any assessment or any part thereof, in any case where the person named as assessed thereon on the basis a resident of the said city, until he shall have had a notice of at least fifteen days that such warrant will be issued, which notice may be served personally or by leaving it at his place of residence; unless the person or residence cannot, with reasonable diligence, be found in the city, in which case no notice shall be necessary.

§ 209. The city treasurer shall issue his warrant as aforesaid to a collector, commanding him to collect the amount unpaid on such assessment, with interest and fees as aforesaid, and shall annex to such warrant either a list of such assessments taken from the assessment-roll, or the roll itself, which warrant shall be in the form, and the same proceedings shall be had as prescribed in the case of the collection of the general city taxes remaining unpaid, and all the provisions of the charter in relation to the collection of such general city taxes, the appointment, duties, fees and security of such collectors, the responsibility of the city treasurer and his sureties for such collectors, the jurisdiction of the supreme court in case of delinquencies, shall be applicable in every such assessment. In case any assessment shall have become entire and due and no part thereof has been paid, and a warrant shall have been issued therefor, and returned unsatisfied, it shall be the duty of the city treasurer to report the same to the assessors. The assessors, in preparing the next roll or general city taxes, shall insert therein against the property on which it was assessed, the amount of such unpaid assessment, with interest thereon at the rate of ten per cent. per annum from the time when due down to the first day of July thereafter. Such amount shall be in a separate column from the general city tax to be levied for the ensuing year. Upon the confirmation of such assessment roll, such amount shall be added to the general city tax, and the entire amount shall be collected as heretofore provided in reference to the general city taxes, and if such amount is not paid, the lands shall be sold therefor as hereinbefore provided. When such tax is collected, the treasurer shall credit the portion thereof which was due on any assessment to the proper fund. On assessments heretofore unpaid the property assessed may be sold for such assessments as heretofore provided by such charter.

§ 210. In all cases where there is no agreement to the contrary, the owner or landlord, and not the occupant or tenant, shall be deemed in law the person who ought to bear and pay every such assessment made for the expense of any public improvement in the said city.

§ 211. 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 another

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. In case any tax or assessment shall have been levied upon any piece of land, and two or more persons are or shall have become the owners of portions thereof, the common council shall have the right to receive from the owner of any portion of such land his portion of the entire tax or assessment as the assessors shall certify to be just; and upon paying such amount, the property owned by him shall be free from the lien of such tax or assessment, and the balance thereof shall be and remain a lien upon the residue of such property assessed. This provision shall apply to certificates of tax sales held by the city and not foreclosed.

§ 212. Nothing herein contained shall impair, or in any way affect any agreement between any landlord and tenant or other person, respecting the payment of any such assessments.

§ 213. If upon the completion of any such improvement, for which such assessments shall have been made, it shall appear that a greater amount has been assessed and collected than is necessary to defray the expenses thereof, the common council shall apportion such excess among the persons and property assessed in proportion to the amount collected of them, and shall pay the same to such persons, and the owners of such property, entitled thereto or entitled to the same.

§ 214. If it shall appear that a greater sum of money has been expended in the completion of such improvements than was estimated as aforesaid, the common council may direct the deficiency to be assessed on the lots and parcels of land benefited by such improvements in the same manner as heretofore provided, and the same order and legal aspects be had thereon. If the said common council may enlarge the territory to be assessed for such deficiency, in which case the same proceedings shall be taken as hereinbefore directed for making assessments, as near as may be. And, if it shall appear that any greater sum of money than was originally assessed has been expended for the benefit of the same property originally assessed, although not embraced in the improvement as ordered by the said commissioners, the said commissioners may, in like manner, direct the assessment of the same upon the lots and parcels of land benefited thereby. This section shall be applicable, not only to future assessments and reassessments, but also to assessments and reassessments heretofore ordered by the said common council. And all assessments and reassessments heretofore made, or that hereafter may be made for improvements in said city, shall be, and are hereby declared to be, valid and effectual, notwithstanding any irregularity, omission or error in the proceedings relating to the same, and all questions concerning the same shall be determined in all courts and places liberally to sustain such proceedings, and with reference to the very right of the case, and not strictly. Treasurer's warrants may be issued for the collection of any or all of such assessments and reassessments, and the same shall have the same force and effect, and all proceedings may be taken in like manner and with like effect, as if no other warrant had before been issued.

§ 215. Every tax or assessment authorized by this act, which has been assessed upon any lands or tenements or real estate, or upon the owners or occupants thereof, shall be and is hereby declared valid and effectual, notwithstanding any irregularity, omission or error in any of the proceedings relating to the same and shall be and remain a lien on such lands, tenements or real estate on which or in respect to which the same have been made, from the time of the passage of the resolution of the common council levying the same, in the case of the annual city taxes, and from the time of the confirmation by the said commissioners of the roll containing the same, in the case of other taxes and assessments, and until the same shall be actually paid or satisfied. In case any assessment shall remain unpaid or unsatisfied, on account of such irregularity, omission or error in any assessment for a local improvement, or in the proceedings relating thereto, or in case of error in description of lands, tenements or real estate, or in designation of owners or occupants, the common council may, in their discretion, proceed to correct such irregularity, omission or error, and cause the amount so unpaid to be assessed on the property deemed to be benefited by such improvement, or upon the owners or occupants thereof; and the common council are hereby authorized and empowered to have such reassessment made in the same manner as the original assessment should have been made; and such reassessment shall have the same effect as if the assessment had originally been properly made. Whenever it shall appear, by the judgment of a court of competent jurisdiction, that any assessment for a local improvement is illegal or void for want of jurisdiction in making the improvement or assessment, and said assessment, or any portion thereof, remain unpaid, the common council may pass an ordinance designating the improvement so

made, the whole expense thereof, and the part or portion of territory deemed to be benefitted thereby, and may assess the houses and lands in such territory described for said expense, according to the benefit received, and proceed in all respects as in cases of assessments for other local improvements, and such action shall have the same valid and binding force as if the same had originally been properly done. Whenever any moneys shall have been paid for an assessment, and a reassessment shall be made in pursuance of this section, the amount so paid shall be credited on such assessment to the property on which the assessment was made; and in case of any alteration in the reassessment, whereby the amount so paid shall exceed the amount reassessed on the same property, such surplus shall be repaid to the person who may have paid the same; and in case it shall be insufficient to pay the amount reassessed, the deficiency shall be collected in the same manner as other assessments. It shall be the duty of the city treasurer, within thirty days after any sales of lands for taxes, to furnish to the county clerk a list of such lands sold, specifying when, to whom, for what time, and the amount, or record, which list the county clerk shall record immediately after receiving the same, in the book provided by the city treasurer for that purpose, and the amount of such sale on such parcel of land shall be a lien thereon, and take precedence of any incumbrance whatever.

§ 219. Whenever the common council shall deem it expedient to construct any sidewalk or pavement within the said city, they may, by ordinance or otherwise, require the owner or occupant of any lot or house adjoining such street to lay such sidewalk, or construct such pavement to the center of the said street, in front of his or her lot or house; or they may direct such sidewalks and pavements to be made according to the provisions of this title. The common council may, in like manner, by ordinance or otherwise, under such penalty or penalties as they may prescribe, require the owners or occupants; or either, of land in said city, or in any specified part thereof, to repair, maintain and reconstruct sidewalks, pavements and street improvements adjoining their respective premises to the center of the street or alley, in such manner as the common council, by ordinance or otherwise, may direct; the expense to which any occupant or tenant may be thus subjected may be collected by him from the owner of the premises, unless otherwise agreed, or unless such tenant or occupant be bound to bear such expense by the terms or nature of the agreement under which he holds the premises.

§ 217. Whenever the owner or occupant of any lot or house shall refuse or neglect, within such time as the common council shall have appointed, to conform to any regulations made by the common council for widening streets, or for any other purpose, it shall be lawful for the common council to cause such regulations to be enforced at the expense of the city, and to recover the amount of such expenses, with damages, at the rate of ten per cent. in every suit filed by the owner or occupant of such lot or house whose duty it was to conform to such regulation. Upon any judgment recovered in said action an execution may be issued against the person of the defendant therein, after one against his property shall have been returned unsatisfied.

§ 218. It shall, in all cases, be the duty of the owner of every lot or piece of land in said city to keep the sidewalks adjoining his lot or piece of land in good repair, and also to remove and clean away all snow and ice or other obstruction from such sidewalk, and the half of the street or alley adjoining the same free from obstruction or obstacle. The city of Rochester shall not be liable for any injury caused from such sidewalks being out of repair, or unlawfully obstructed or dangerous from snow or ice, unless actual notice of the unsafe or dangerous condition thereof has been given to the city officers, having charge of the highways a reasonable time before the happening of any such injury. The superintendent of streets shall have the power to repair any sidewalk where the owner of the property shall neglect to repair the same for five days, after written notice so to do has been sent to him, or to his usual or residence, if his residence be known, and he live in the city, or otherwise, after being left on the premises. The street superintendent shall also have power to clean any sidewalks from snow, ice or other obstruction where the same have remained for twenty-four hours. The street superintendent shall have the power to collect the expense of any such work or repairs from the owner of the property, and he shall send such owner, if his address be known, a bill of the amount thereof. If such expense is not paid, the superintendent shall file his affidavit of the actual cost thereof, and the property in front of which the work or repair was done, with the assessors of the city, and they shall add the amount thereof, with interest at fifteen per cent., from the time such affidavit was filed, to the

amount assessed against such land for the next general city tax, and the whole amount of such assessment shall be collected as is provided in reference to general city taxes.

§ 219. Mount Hope Cemetery, and all lots and plats therein, which have been, or shall hereafter be, conveyed by the corporation of said city, as places for the burial of the dead, shall forever be exempt from taxation, and from assessments for the improvement thereof, or for any purpose whatever, and shall not be liable to be sold on execution, or to be applied to the payment of debts, by any assignment under any insolvent law, or by any compulsory process of law.

TITLE VIII.

PREVENTION AND EXTINGUISHMENT OF FIRES.

§ 220. For the purpose of guarding against the calamities of fire, the common council may, from time to time, by ordinance, designate such portions and parts of the said city as it shall think proper, within which no buildings of wood shall be erected; and may regulate the erection of buildings within such portion and parts, and the size and materials thereof; and the size and construction of the chimneys therein; the thickness of the walls thereof; the kind of mortar or cement used in the construction of such walls; the distance at which party walls shall be placed in such buildings; the materials of which they shall be constructed; and may require iron shutters to be placed upon the outer doors and windows of buildings already constructed, and upon such as shall hereafter be constructed, and every person who shall violate any such ordinance or regulation shall forfeit to the city the sum of two hundred and fifty dollars; and every building erected contrary to such ordinance is hereby declared to be a common nuisance, and may be abated and removed as such by the common council. The said common council may also inspect, or cause to be inspected by an officer of said city, or by any person to be appointed by said common council for that purpose, any building erected or in process of erection, to see that the same conform to such ordinance or regulation; said common council, officer or person shall have authority, at all reasonable hours, to enter upon any premises to make such inspection, and may arrest and put a stop to the erection of any building in process of erection which shall not conform to such ordinance or regulation until the same shall be conformed thereto, and for this purpose may employ the police force of said city.

§ 221. The common council may, by ordinance, require the owners and occupants of houses and other buildings to have scuttles on the roofs of such houses and buildings, and stairs or ladders leading to the same; and whenever the owner or occupant of any house or building shall not comply with such ordinance, or with any ordinance in relation to iron shutters upon the windows and doors of any building, the common council may, at the expiration of twenty days after personal service of a notice of such ordinance upon the owner or occupant cause such scuttles, stairs, ladders or shutters to be constructed and placed in or upon said building, and may recover the expense thereof, with ten per cent. in addition, of the owner or occupant whose duty it was to comply with such ordinance.

§ 222. The common council may prevent or regulate the carrying on of manufactures calculated to cause or promote fires; may regulate the construction of safe deposits for ashes, the removal of any hearth, fire-place, stove, grate or other apparatus in which fire may be used, or any chimney, flue or other conductor of smoke that may be considered likely to cause or promote fires, and may compel the cleaning of chimneys, flues and all other conductors of smoke; and upon the neglect of any owner or occupant of any building to clean the chimneys, flues or other conductors of smoke therein, or to construct such deposits, or to make the removals as hereinbefore mentioned, he shall forfeit the sum of one hundred dollars, and the common council may cause such removals to be made, and such chimneys, flues or other conductors of smoke to be cleaned, and may collect the expense thereof, and ten per cent. in addition, from the owner or occupant whose duty it was to have the same removed or cleaned. The common council may also make such other regulations for the prevention and suppression of fires as it may deem necessary. An execution issued upon any judgment recovered in virtue of the provisions of this title may issue against the property or person of the defendant therein, or both.

§ 223. For the purpose of enforcing such regulations, the common council may authorize any of the officers of the said city, or any person appointed by it, at all reasonable times, to enter into and examine all dwelling-houses, buildings, tenements of every description, and all lots, yards or inclosures, and to cause such as are dangerous to be put in safe condition; and may authorize such officers and persons to inspect all hearths, fire-places, stoves, pipes, flues, chimneys or other conductors of smoke, or any apparatus or de-

vices in which fire may be used or to which fire may be applied, and remove and make the same safe at the expense of the owners or occupants of the building in which the same may be, and to ascertain the situation of any building in respect to its exposure to fire, and whether iron shutters, scuttles and ladders thereon have been provided, and generally with such other powers and duties as the common council shall deem necessary to guard the city from the calamities of fire.

§ 224. The executive board may procure, build, erect and keep in repair such and so many fire engines, hose and other apparatus, fire hooks and fire buckets and other implements and conveniences for the extinguishment of fires, and to prevent injuries by fire, and such and so many public cisterns, wells, reservoirs of water and engine-houses as they shall, from time to time, judge necessary; provided, however, that no engine-house or fire engine shall be bought, built or sold, without the authority of the common council.

§ 225. All acts and proceedings of the common council of said city, in the year eighteen hundred and sixty-one, in appropriating and expending the sum of fourteen thousand two hundred and forty-six dollars and six cents, in raising, equipping and subsidizing volunteers and military companies for the military service of the state of New York, and of the United States, in said year, are hereby legalized and confirmed, and are hereby declared to be of the same validity, in all respects, as if the same had been duly authorized by the charter of said city, or as if an act to that effecting all the acts and proceedings had been theretofore duly enacted.

§ 226. The executive board may organize and maintain a fire department for the said city, to consist of one chief engineer, one assistant engineer, and such number of firemen as may be appointed by the said board; all to have the privileges and exemptions of firemen, and to hold their appointment during the pleasure of the board.

§ 227. The executive board may make rules and regulations for the government of said engineers and firemen; may prescribe their respective duties in case of fire or alarms of fire; may direct the dresses or badges of authority to be worn by them; may prescribe and regulate the time and manner of their exercise, and the common council may impose reasonable fines for the breach of any such regulations.

§ 228. The engineers, under the direction of the executive board, shall have the custody and general superintendence of the fire engines, engine houses, hooks, ladders, hose, public cisterns and other conveniences for the extinguishment and prevention of fires, and it shall be their duty to see that the same are kept in order, and to see that the laws and ordinances relative to the prevention and extinguishment of fires are duly executed, and to make detailed and particular reports of the state of their department, and of the conduct of the firemen, to the said board at stated periods, to be prescribed by the said board, and to make such reports to the mayor as may be required by him. The certificate of the clerk of the city, under the seal of such city that a person is or has been a fireman, shall be evidence of the fact in all courts and places.

§ 229. The fire marshal shall have such powers and perform such duties as the common council shall, from time to time, direct, and with such salary as the common council shall determine.

§ 230. The common council may, by ordinance, direct the manner in which the bells in the city shall be tolled or rung in cases of fire or alarms of fire, and may impose penalties for tolling or ringing of such bells in such manner at any other time than during a fire or an alarm of fire.

§ 231. The common council may provide suitable compensation for any injury that any fireman may receive, either in his person or property, in consequence of his exertions at any fire.

§ 232. The common council may by ordinance—

1. Prescribe the duties and powers of the engineers at fires, and in cases of alarms of fire, and may vest in them such powers as shall be deemed necessary to preserve property from being stolen, and to extinguish and prevent fires.
2. Prescribe the powers and duties of the mayor and aldermen at such fires and in cases of alarm; but in no case shall the mayor, or any alderman, control or direct the chief engineer, or his assistant, during any fire, except as hereinafter provided.
3. Provide for the removal and keeping away from such fires of all idle and disorderly or suspicious persons, and may confer powers for that purpose on the engineers.
4. Provide for compelling persons to aid in the extinguishment of fires, by all proper means, and to aid in the preservation, removal and securing of property exposed to danger by fire.
5. To compel the constables and policemen of the

city to be present at fires, and to perform such duties as said common council shall prescribe.

§ 233. Whenever any person shall refuse to obey any lawful order of any engineer, mayor or alderman, or member of the executive board, at any fire, it shall be lawful for the officer giving such order to arrest or to direct orally a constable, policeman or any citizen to arrest such person and confine him, temporarily, in any safe place until such fire shall be extinguished; and in the same manner such officers, or any of them, may arrest or direct the arrest and confinement of any person at such fire, who shall be intoxicated or disorderly.

§ 234. Whenever any building in the said city shall be on fire, it shall be the duty, and be lawful for the chief engineer, with the consent of the mayor, or of any member of the executive board, or of any alderman, or for the mayor, or for any two aldermen, or member of the executive board, at any fire, it shall be lawful for the officer giving such order to arrest or to direct orally a constable, policeman or any citizen to arrest such person and confine him, temporarily, in any safe place until such fire shall be extinguished; and in the same manner such officers, or any of them, may arrest or direct the arrest and confinement of any person at such fire, who shall be intoxicated or disorderly.

§ 235. The common council may by ordinance—

1. Appoint commissioners to appraise and assess the damages incurred by the said claimant by the pulling down or destruction of such building by the direction of the said officers of the city, as above provided, shall take into account the probability that the same would have been destroyed or injured by fire if it had not been so pulled down or destroyed, and may in respect of such damages should equitably be allowed to such claimant. Whenever a report shall be made and finally confirmed, in the said proceedings for appraising and assessing the damages, a compliance with the terms thereof by the common council shall be deemed a full satisfaction of all said damages of the said claimant.

TITLE IX.

SUPPORT OF THE POOR.

§ 236. The mayor and aldermen of the said city, by virtue of their offices, shall be overseers of the poor for the said city, and shall possess all the powers and authority of overseers of the poor in the several towns in this state, in relation to the support and relief of indigent persons, the binding out of children who shall solicit alms or who, or whose parents, shall become chargeable to the said city, or to the county of Monroe, in the said city; the safe-keeping and care of lunatics; the care of habitual drunkards; the binding out and contracting for the service of disorderly persons; the support of bastards, and the proceedings to charge the fathers and mothers of such bastards; and all such other powers as are conferred on overseers of the poor in the respective towns, and shall be subject to the same duties, obligations and liabilities.

§ 237. Until provisions shall otherwise be made, as hereinafter authorized, the indigent persons, and such others as shall be entitled to relief under the laws of this state, who are or shall become chargeable, or likely to become chargeable to the said city, being in the said city, shall continue to be supported and relieved in the manner provided by law in respect to the county of Monroe.

§ 238. Whenever the common council shall deem it expedient, they may cause an almshouse to be erected in the said city, being authorized thereto as herein provided, and may appoint as many commissioners to take charge thereof as they shall judge necessary, and may raise the expense of the maintaining of the almshouse by a tax or taxes on the real estate within the said city, and on the personal property of residents therein, in the same manner as hereinbefore provided in respect to taxes for the general expenses of the said city. And the same proceedings for that purpose shall be had in all respects as in and to the county of Monroe.

§ 239. The common council may appoint such other officers and servants for the government and management of the said almshouse as they shall deem necessary, and they, together with the said commissioners, shall hold their appointment during the pleasure of the common council; and the common council shall make such regulations as they think

necessary for the government, management, support and good order of the said almshouse, its tenants, officers, keepers and servants.

240. The common council may cause such labor in manufactures, or otherwise, to be performed by the tenants of such almshouse, as they shall prescribe, and may provide the materials and implements therefor at the expense of the city, and they may also erect in the said almshouse proper cells and rooms for the confinement and care of lunatics and idiots, and other persons confined therein, and may provide for and for the care of such lunatics, and may contract with the supervisors of Monroe county and with any other person for the support and care and medical and surgical attendance for any lunatics, idiots, insane, sick, diseased or maimed persons.

TITLE X.

COURTS OF JUSTICE.

241. A court of civil jurisdiction known as the "municipal court of the city of Rochester," is continued and established in and for the said city, with the jurisdiction and powers hereinafter provided. The two judges of the court now in office shall hold the said court in the said city as hereinafter provided.

242. The said judges shall hold their offices respectively, one for five years, and one for six years, from the first day of May, one thousand eight hundred and seventy-six, as heretofore designated by the governor. The judges appointed or elected, as provided in the charter, shall take the oath of office prescribed by law before entering upon their duties, and file the same in the Monroe county clerk's office.

243. At the annual charter election next preceding the end of the term, of the said one thousand eight hundred and seventy-six, and the person so elected shall hold the office for the term of six years commencing on the first day of May next thereafter.

244. Whenever a vacancy shall occur in the said office, the same shall be filled by election at the next annual charter election in said city held not less than ten days after the first day of May, and the person so elected shall hold the office from the time of his election until the expiration of six years from the first day of May thereafter. If such vacancy shall occur more than sixty days previous to such charter election so held as aforesaid, the common council, by the concurring votes of not less than two-thirds of all the aldermen, shall appoint a person to supply such vacancy until the said charter election, and until the person then elected to fill the vacancy shall duly qualify.

245. It shall be the duty of each of said judges to hold a court in and for said city of Rochester, to be called the municipal court of the city of Rochester. Said court shall be opened for business each day (Sundays and legal holidays excepted) at nine o'clock in the forenoon, and continue open during reasonable hours for the transaction of business, and shall have jurisdiction in civil actions and proceedings as follows:

1. In all civil actions and proceedings cognizable by law in the former justices' courts of said city, and in the justices' courts of town.

2. In actions arising on contracts for the recovery of money only, if the sum claimed does not exceed five hundred dollars; and also in actions for a breach of contract, where the damages claimed do not exceed five hundred dollars.

3. In a matter of account, when the sum total of the accounts of both parties, proved to the satisfaction of the court, does not exceed one thousand dollars.

4. In action for damages for injury to rights pertaining to the person or to personal or real property, if the damages claimed do not exceed five hundred dollars.

5. In an action for a penalty, not exceeding five hundred dollars.

6. In an action upon a bond conditioned for the payment of money, not exceeding five hundred dollars, though the penalty exceed that sum, the judgment to be given for the sum actually due. Where payments are to be made by installments, an action may be brought for each installment as it becomes due.

7. In an action upon a surety bond taken by said court, when the penalty or amount claimed does not exceed five hundred dollars.

8. In an action upon a judgment rendered in a court of a justice of the peace, where such action is not prohibited by section seventy-one of the code of procedure.

9. To take and enter judgment on the confession of a defendant, when the amount confessed shall not exceed five hundred dollars, in the manner prescribed by article eight, title four, chapter two of part three of the Revised Statutes.

10. In an action for damages for fraud in the sale, purchase or exchange of personal property, if the damages claimed do not exceed five hundred dollars.

11. In an action commenced by an attachment of property, as now provided by statute, if the debt or damage claimed do not exceed five hundred dollars.

12. In an action to recover the possession of personal

property claimed, the value of which, as stated in the affidavit of the plaintiff, shall not exceed five hundred dollars; the same proceedings to be had as are provided by law to be had in justices' courts.

13. In summary proceedings under the revised statutes to recover the possession of land, and to remove tenants and others; the process to be made returnable before said court by its proper title.

14. In actions or proceedings under the statutes for the enforcement of the liens of mechanics and others, where the amount of the lien does not exceed the sum of five hundred dollars; the same proceedings to be had as are provided by law to be had in justices' courts.

15. In proceeding in cases of bastardy, brought by the overseer of the poor of the said city of Rochester.

16. The judges of said court shall have power to remove any constable of said city upon the same complaint as is provided by law for the removal of a constable of a town. The said judges shall associate together to hear and determine the same, and the same proceedings shall be had by and before them as are provided by law to be had by and before three justices of the peace of a town, for the removal of a constable.

17. The judges of said court are hereby respectively authorized and empowered to solemnize the rites of marriage.

246. Process shall be made returnable before said court by its proper title, and shall be signed by a judge or by a clerk or deputy clerk of said court; either of said judges may hold said court, and may hear, try and determine any case or proceeding brought in said court, when there is no demand made for a jury, or preside at a trial by jury; but in case of proceedings in bastardy, said judges shall associate together for the trial and determination of the same. The process, pleadings, practice, trial by the court or jury, fees, costs and disbursements, judgment by action or confession, and proceedings thereon, shall be the same as are now provided by law for justices' courts, except as otherwise provided in this act. In cases where the defendant is required by law to give bail on application for an adjournment, the amount of the penalty of the bond shall be fixed by the court, but shall not in any case exceed five hundred dollars. Appeal may be had from any judgment obtained in said court to the county court of Monroe county, in the same cases, in the same manner, and with like effect as appeals are now had by law from judgments obtained in justices' courts. This court shall not have the cognizance of any action where the title to real property shall come in question; but where such question arises, the pleadings and practice shall be the same as are now provided by law for justices' courts in regard thereto. The clerk of said court, on the demand of a party in whose favor judgment shall have been rendered, shall give a transcript thereof, which may be filed and docketed in the office of the clerk of Monroe county. The time of receipt of the transcript by said clerk shall be noted thereon and entered in the docket, and from that time the judgment shall be in effect of the county court. A certified transcript of such judgment may be filed and docketed in the clerk's office of any other county, and with like effect, in every respect as in the county where the judgment was rendered; except that it shall be a lien only from the time of filing and docketing the transcript. But no such judgment for a less sum than twenty-five dollars, exclusive of costs, shall be a lien upon, or enforced against, real property. The pleadings in said municipal court shall be:

1. The complaint by the plaintiff; and

2. The answer by the defendant.

The pleadings may be oral or in writing; if oral, the substance thereof shall be entered in the docket of the court; if in writing, they shall be filed and a reference to them shall be made in the docket, but such pleadings need not be verified except as hereinafter provided. The complaint shall state, in a plain and direct manner, the facts constituting the cause of action. The answer may contain a denial of the complaint, or any part thereof, and also notice, in a plain and direct manner, of any facts constituting a defense or counter-claim. Either party may demur to the pleadings of his adversary, or to any part thereof, when it is not sufficiently explicit to enable him to understand it, or it contains no cause of action or defense, although it be taken as true. If the court deem the objection well founded, it shall order the pleading to be amended; and if the party refuse to amend, the defective pleading shall be disregarded. In case a defendant does not appear and answer, the plaintiff cannot recover except as otherwise hereinafter provided) without proving his case. In an action or defense founded upon an account or an instrument for the payment of money only, it shall be sufficient pleading for a party to deliver the account or instrument to the court, and to state that there is due to him thereon, from

the adverse party, a specified sum which he claims to recover or set on. A variance between the proof on the trial and the allegations in a pleading shall be disregarded as immaterial, unless the court shall be satisfied that the adverse party has been misled to his prejudice thereby. The pleadings may be amended at any time before the trial, or during or upon appeal, when by such amendment substantial justice will be promoted. If the amendment be made after the joining of issue, and it be made to appear to the satisfaction of the court, by oath, that an adjournment is necessary to the adverse party in consequence of such an amendment and adjournment shall be granted. The court may also, in its discretion, require, as a condition of amendment, the payment of costs to the adverse party. Execution may be issued on a judgment heretofore or hereafter rendered by said municipal court at any time within five years after the rendition thereof, and shall be returned sixty days after the date of the same. If the judgment be docketed with the county clerk, the execution shall be issued by him to the sheriff of the county and have the same effect, and be executed in the same manner as other executions and judgments of the county court. The court may, at the joining of issue, require either party at the request of the other, at that or some other specified time, to exhibit in writing, and to be sworn to the nature thereof as far forth as may be in his power, and in case of his default preclude him from giving evidence of such parts thereof as shall not have been so exhibited or stated. The defendant may, on the return of process and before answering, make an offer in writing to allow judgment to be taken against him for the amount to be claimed by the plaintiff. The plaintiff shall thereupon, and before any other proceeding shall be had in the action, determine whether he will accept or reject such offer. If he accept the offer and give notice thereof in writing, the clerk shall file the offer and the acceptance thereof, and judgment shall be rendered accordingly, notice of acceptance being given and the plaintiff shall file the judgment for a greater amount, exclusive of costs, than has been specified in the offer, he shall not recover costs but shall pay to the defendant his costs accruing subsequent to the offer. The forms of action, parties to actions, the rules of evidence, the times of commencing actions and the service of process upon corporations, as established by the code of civil procedure, shall govern the practice in the court.

§ 247. In an action brought in this court, arising on contract for the recovery of money only, or upon account, the plaintiff, at the time of issuing the summons, may file with the clerk of said court a written complaint, setting forth in a plain and concise manner the facts or items of account constituting the cause of action, specifying the amount actually due from the defendant to the plaintiff, and for which the plaintiff will demand judgment. Such complaint shall be subscribed by the plaintiff or his attorney, and shall be verified in the manner prescribed by the code of civil procedure or rules of court. Said summons and complaint shall be served together with the plaintiff delivering to and leaving with the defendant personally a copy thereof, and may be served by any person of full age not a party to the action.

§ 248. In case the defendant appears and answers said complaint, such answer shall be in writing and subscribed by the defendant or his attorney, and shall be verified as above provided for the verification of the complaint; and shall contain, first, a general and specific denial of each material allegation of the complaint, controverted by the defendant, or of any knowledge or information thereof sufficient to form a belief; second, a plain statement of any new matter constituting a defense or counter-claim.

§ 249. In case the defendant fails to answer the complaint, as herein provided, he shall be deemed to have admitted the allegations of the complaint, and the court, upon the filing of the summons and complaint, with the proof of the due service thereof, shall forthwith enter judgment for the plaintiff for the amount demanded in the complaint, with costs and disbursements, without further proof. The service of the said summons and complaint is made by any person other than a constable, proof of such service shall be made by affidavit, in which affidavit he shall state that such person is over twenty-one years of age, when and at what particular place and in what manner he served the same, and that he knew the person mentioned, and that he delivered to the summons as defendant therein, and that he delivered to and left with such defendant a copy thereof. When the service is made by a constable his certificate showing when and at what particular place and in what manner he served the same, and that he knew the person mentioned and described in the summons as the defendant therein, and that he delivered to and left with such defendant a copy thereof, shall be sufficient proof of the service of such summons and complaint. Every pleading shall be subscribed by the party or his attorney; if by attorney, such attorney

shall have been admitted to practice in the supreme court of this state.

§ 250. In all actions brought in this court there shall be allowed by way of indemnity to the prevailing party, and included in the judgment, the following sums as costs:

1. When the damages recovered amount to twenty-five dollars, but do not amount to one hundred dollars, the sum of three dollars.

2. When the damages recovered amount to one hundred dollars and do not amount to three hundred dollars, the sum of five dollars.

3. When the damages recovered amount to three hundred dollars, or more, the sum of seven dollars.

4. For the trial of an issue of fact, to the prevailing party, the sum of five dollars; and when a judgment of non-suit or no cause of action is rendered on such trial, the defendant shall be entitled to have judgment entered against the plaintiff, for the amount of the fees, costs and disbursements allowed the defendant by law, and, also, the additional costs provided for in this act.

§ 251. Either of said judges may issue a criminal warrant upon due complaint for the arrest of any person charged with crime committed within the county of Monroe, but such warrant must be signed by the judge of the peace, and shall be returnable before the justice of the peace court of said city. Said justice, or either of them, may command the services of any constable of said city to enforce the authority of said court and to maintain the peace; and they, or either of them, shall have power to punish for contempt to the same extent as justices of justices' courts.

§ 252. Said courts may have a clerk and one deputy clerk, to be appointed by the said judges, such appointment to be in writing and filed with the clerk of Monroe county. Said clerk and deputy clerk shall take the usual oath of office, and file the same with the county clerk, and shall hold the said office during the pleasure of the said judges, and shall be held to the faithful performance of his duties, in such form and for such sum, and with such sureties as shall be approved by said judges, and file the same with the treasurer of said city. It shall be the duty of said clerk and deputy clerk to keep in the docket of said court a complete and accurate record of all process issued and returned to said court, of all proceedings in any action or proceeding brought in said court, of all moneys paid into said court, or received by said clerk or said deputy clerk, and to enter into said docket the judgments and decisions of said court, and said docket shall be evidence in the courts of this state to the same extent as the docket of a justice of the peace. Said clerk and deputy clerk shall have power to administer oaths and take acknowledgments the same as justices of the peace of towns.

§ 253. In all actions and proceedings brought in this court, the clerk or deputy clerk shall demand and receive prepayment of all such fees for process, making out and filing bonds, undertakings, affidavits and other papers as are allowed by law, in justice of justices' courts, and said clerk or said deputy shall keep an accurate minute of the same in each case or proceeding upon the docket of said court at the time of receiving the same, and at the end of each month shall deposit the amount thereof with the treasurer of said city, together with a detailed statement of the items thereof, which statement shall be verified by said clerk or deputy clerk to be true and correct, and to embrace all the moneys paid into said court, or received by said clerk, or by said deputy, during the period covered by said statement.

§ 254. Said judges shall each be paid in monthly payments an annual salary of eighteen hundred dollars, and shall receive to their own use no fees or other compensation for services as judge of said court. Said clerk and deputy clerk shall each be paid in monthly payments an annual salary of six hundred dollars, and shall receive no fees or other compensation for services as clerk or deputy clerk of said court.

§ 255. The common council shall designate the place for the holding of said court, and provide suitable room for furniture and necessary blank books, blanks and stationery for the use of said court, and shall provide for the payment of the said salaries of the said judges and the said clerk and deputy clerk.

§ 256. No person shall hereafter be elected to the office of justice of the peace in the said city of Rochester.

§ 257. In every case in which by law a justice of the peace is required to render judgment and enter the same in his docket within four days, the municipal court or judge thereof is required to render judgment and enter the same in the docket within ten days after the cause shall have been submitted for final decision, anything herein to the contrary notwithstanding.

§ 258. Suits brought to recover any penalty or forfeiture for the violation of any ordinance of the common council of the said city shall be brought in the

name of the city of Rochester, and shall be prosecuted under the direction of the city attorney, or such person as may be deputed by him or the police justice, or such officer as the common council may direct, and may in all cases be commenced by warrant, returnable forthwith without an affidavit, showing cause therefor, or without the giving of security; no person being an inhabitant or taxpayer of said city shall be disqualified for that cause from acting as a judge, justice or juror in any suit brought by or against said city in any court, nor from serving any process, or summoning a jury in any suit, proceeding or investigation to which the city is a party. Nor shall any judge or justice of a court of sessions or other court be disqualified to hear and adjudicate on an appeal in a case of bastardy or other matter originating in said city because he is an inhabitant or taxpayer thereof.

§ 259. If judgment in any action shall be rendered against the city by the municipal court of the said city, or by any justice of the peace, or by any court of record, such judgment may be removed by appeal to any court having jurisdiction of such appeal, in the same manner as if the same effect as though the city were a natural person, except that no undertaking on appeal shall be necessary to be executed by or on behalf of the said city.

§ 260. Every execution for any penalty or forfeiture recovered for the violation of any ordinance of the corporation, may be issued immediately, and the amount of the same 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 such time as shall have been directed by the common council, unless herein otherwise provided.

§ 261. The common council may direct any moneys that may hereafter be covered for penalties or forfeitures, to be applied to the payment of any extra expenses that may have been incurred in apprehending offenders, or in subpoenaing or defraying the expenses of witnesses in any suit for such penalties or forfeiture, or in conducting such suits.

§ 262. All persons being habitual drunkards, destitute, and without visible means of support, or who shall abandon, neglect or refuse to aid in the support of their families, being complained of by such families; all able-bodied beggars, who may apply for alms or solicit charity; all persons wandering abroad, lodging in watch-houses, market-places, sheds, stalls, or uninhabited dwellings, or in the open air, and not giving a good account of themselves; all common brawlers and disturbers of the public quiet; all persons wandering abroad and begging, or who go about from door to door, or place themselves in the streets, or other public places, or beg or receive alms within the said city, shall be deemed vagrants, and may, upon conviction before a police justice of the city, be sentenced to confinement in the Monroe county penitentiary, for any time not exceeding sixty days, at hard labor.

§ 263. All persons who shall have actually abandoned their wives or children in the city of Rochester, or who may neglect to provide according to their means, for the support of their families, or who are declared to be disorderly persons, within the meaning of title fifth of chapter twentieth of part first of the revised statutes, as amended, and may be proceeded against as such, in the manner directed by said title. And it shall be the duty of the magistrate before whom any such person may be brought for examination to judge and determine from the facts and circumstances of the case, whether the conduct of any such person amounts to such desertion or neglect to provide for his wife or children.

§ 264. Persons convicted of any criminal charge, on conviction, or upon conviction for violation of the laws of this state, in the said city, shall be confined in the Monroe county penitentiary in the same manner as when committed by the justices of any town in said county.

§ 265. The police justice of said city shall have jurisdiction in suits brought for a violation of any city ordinance or of the laws concerning the internal police of the state, and is hereby empowered to hold courts of special sessions for the trial of all offenses triable in a court of special sessions. The municipal court of said city shall also have jurisdiction of all suits brought for a violation of any of the city ordinances, except in relation to gaming and disorderly houses.

§ 266. Upon any criminal warrant duly issued by the police justice, or any person legally acting in his stead, or any officer authorized to serve the same, may execute such warrant in any part of this state, without further indorsement or warrant.

§ 267. A judge of the municipal court, the mayor or one of the police commissioners designated by him, shall have all the jurisdiction, authority and power of the police justice, upon the production to such judge or the mayor, of the certificate of the police justice,

a police commissioner or the chief of police, of the absence of the police justice from the city, or of his severe illness, disabling him from acting, which certificate shall be in writing and be filed with the police clerk, before the issuing of any process or proceeding, in any manner, in such case. Such certificate, with the mayor's designation, if any of a police commissioner, shall be entered by the police clerk at length in the docket and record of proceedings kept by him, and made a part of the return to any writ of certiorari in such case; but it shall not be necessary to recite or mention the same in any warrant or process or proceeding. Such judge, mayor or commissioner, so authorized, shall issue process and record proceedings in his proper name of office as judge, mayor or commissioner, and shall continue to act in place of the police justice, until the production to him of the certificate of the police justice, in writing, of his ability to act, which certificate shall be likewise filed with the police clerk and entered in the said docket, and thereupon matters pending undetermined before the said person acting in place of the police justice under the docket and record of proceedings, such police justice de novo from the return of the warrant or process, or the making of the arrest. The person acting under this section, in place of the police justice, while so acting, shall occupy the office of the police justice and shall not do any official act, in a criminal case, elsewhere.

TITLE XI.

PUBLIC HEALTH.

§ 268. The clerk of the city, without other compensation than his salary fixed by the common council, shall be the clerk of the board of health, and it shall be his duty to attend the meetings thereof and keep a record of the same, and such record, or a duly certified copy of the same, or of any part thereof, shall be prima facie evidence of the facts therein contained, in any court or before any officer. The number of health inspectors and their salaries shall be determined by the common council.

§ 269. The common council shall have power to take such measures as they shall deem effectual to prevent the entrance of any pestilential or dangerous infectious disease into the city; to stop, detain and examine, for that purpose, every person coming from any place infected, or believed to be infected, with such a disease; to establish, maintain and regulate a pest-house or hospital at some place within the city, or not exceeding three miles beyond its corporate limits; to cause any person, not being a resident of the city, or if a resident of the city, who is not an inhabitant of this state, and who shall be, or be suspected of being, infected with any such disease, to be sent to such pest-house or hospital; to cause any resident of the city, infected with any such disease, to be removed to such pest-house or hospital, if the health officer and two other physicians of the city shall certify that the removal of such resident is necessary for the preservation of the public health; to remove from the city or destroy any furniture, wearing apparel, or goods, wares or merchandise, or other articles, or property of any kind, which shall be suspected of being tainted with any such disease, and which shall be or be likely to pass into such a state as to generate or propagate disease; to abate all nuisances of every description which are or may be injurious to the public health, in any way and in any manner they may deem expedient; and from time to time to do all acts, make all regulations and pass all ordinances which they shall deem necessary or expedient for the preservation of health and the suppression of disease in the city, and to carry into effect and execute the powers hereby granted.

§ 270. The captain, master or person in charge of any canal boat, steamboat, or other craft or vessel, which shall enter the city, having on board thereof any person sick of any malignant fever, or other pestilential or infectious disease, shall be guilty of a misdemeanor, punishable by a fine or imprisonment, unless the persons diseased became so on the way and could not be left. It shall be the duty of such captain, master or person in charge, within two hours after his arrival, to report, in writing, to the mayor, or some other health officer, the fact of such sick person's being on board, and the name, description and location of his craft; and he shall not permit such sick person to land or be landed, until the board of health, or some member thereof, shall give permission for that purpose; and any neglect or violation of these provisions, or of any or either of them, shall be a misdemeanor punishable with fine or imprisonment, or both.

§ 271. The owner, driver, conductor or person in charge of any stage, railroad car or other public conveyance, which shall enter the city, having on board any person sick of malignant fever, or pestilential or infectious disease, shall, within two hours after the arrival of such sick person, report in writing the fact, with the name of such person, and the house or place

where he was put down in the city, to the mayor, or some member or officer of the board of health; and any and every neglect to comply with these provisions, or any of them, shall be a misdemeanor punishable with fine or imprisonment, or both.

§ 272. Any person who shall, knowingly, bring or procure, or cause to be brought into the city, any property of any kind, tainted or infected with any malignant fever, or pestilential or infectious disease, shall be guilty of a misdemeanor punishable by fine or imprisonment.

§ 273. The board of health shall have power, by an order in writing for that purpose, to be served on the master, captain or person in charge of any canal boat, steamboat or other vessel or craft, or any owner or consignee thereof, if such boat, craft or vessel be by them suspected to have on board any infected or diseased person or property, to require such boat or vessel not to enter the city, or to remove to some certain distance not exceeding three miles from the city; and every such master, captain, person in charge, consignee or owner, who shall be served with such order, shall be guilty of a misdemeanor, punishable with fine or imprisonment, or both, if he shall refuse to obey, or shall enter the city in violation of such order, or shall not be removed according to the tenor of such order, within a reasonable time, not exceeding three hours after the service of such notice.

§ 274. Every keeper of an inn, or boarding or lodging-house in the city, who shall have in his house at any time any sick person, shall report the facts and the name of the person in writing within six hours after he came to the house, or was taken sick therein, to the mayor or some officer or member of the board of health; every physician of the city shall report under his hand, to one of the officers above named, the name, residence and disease of every patient whom he shall have sick of any infectious or pestilential disease, within six hours after he shall have visited such patient. A violation of either of the provisions of this section, or any part of either of them, shall be a misdemeanor, punishable by fine or imprisonment, or both, the fine not to exceed one hundred dollars, nor the imprisonment six months.

§ 275. All fines imposed under the last five sections shall belong to the city, and when collected, shall be paid into the city treasury, and be devoted to the maintenance and support of the pest-house, or of any hospital that may hereafter be established by the city.

§ 276. The common council shall have power to pass and enact such by-laws and ordinances as they shall from time to time deem necessary and proper for the filling up, draining, cleansing, cleaning and regulating any grounds, yards, basins, slips or cellars within the said city, that shall be sunken, damp, foul, encumbered with filth and rubbish, or unwholesome, and for filling or altering and amending all sinks and privies within the city, and for directing the mode of constructing them in future; and to cause all such work as may be necessary for the purpose aforesaid, and for the preservation of the public health and cleanliness of the city, to be executed and done at the expense of the city corporation, on account of the persons respectively assessed therefrom the same may be assessed; and for that purpose to cause the expenses thereof to be estimated, assessed and collected, and the lands charged therewith, to be sold in case of non-payment, in the same manner as is provided by law with respect to other public public improvements within said city; and in all cases where the said by-laws or ordinances shall require anything to be done in respect to the property of several persons, the expenses thereof may be included in one assessment, and the several houses and lots, in respect to which such expense shall have been incurred, shall be briefly described in the manner required by law in the assessment roll for the general expenses of the city, and the sum of money assessed to such owner or occupant of any such house or lot, shall be the amount of money expended in making such improvement upon such premises, together with a ratable proportion of the expenses of assessing and collecting the moneys expended in making such improvements.

§ 277. Whenever, in the opinion of the common council any building, fence or other erection of any kind, or any part thereof, is liable to fall down, and persons or property may thereby be endangered, they may order any owner or occupant of the premises on which such building, fence or other erection stands, to take down the same or any part thereof, within a reasonable time, to be fixed by the order, or immediately, as the case may require; or may immediately, in case the order is not complied with, cause the same to be taken down at the expense of the city, on account of the owner of the premises, and assess the expenses on the land on which it stood. The order, if not immediate in its terms, may be served on the occupant of the premises, or be published in the city paper, as the common council shall direct.

§ 278. The common council shall have power to pass

all such ordinances as they shall think proper and necessary to preserve the Genesee river and all canals, slips and basins in the city; to prevent and punish the casting or depositing therein, or on the banks thereof, any earth, ashes or other heavy substances, filth, logs or floating matter; to prevent and remove all obstructions and accumulations of filth or rubbish therein, and to punish the authors thereof; regulate and prescribe the mode and speed of coming to and departing from the wharves and streets of the city, by steamboats, canal boats and other crafts and vessels, and the disposition of the sails, yards, anchors and appurtenances thereof, while entering, leaving or abiding in the said city; and to regulate and prescribe by such ordinance, or through their officers, such a location of every canal boat, steamboat or other craft or vessel, or float, and such changes of station in and use of the same, as may be proper, in order to promote order therein, and the safety and equal convenience, as near as may be, of all such boats, vessels, crafts and floats, and may impose penalties not exceeding one hundred dollars for any offense against any such ordinance, and may, by such ordinance, charge any such penalty upon the steamboat, canal boat, or other vessel, craft or float, the captain, master, owner, consignee or person in charge of which is thereby liable. Notwithstanding the provisions contained shall be construed to authorize the common council, or any of its officers, to interfere with any of the laws of this state, now or hereafter to be enacted, or with the acts and regulations of the canal board, in relation to the Erie canal, or any other canal being the property of the state of New York.

§ 279. After the expiration of the commencement of any suit for a penalty imposed, in pursuance of the last section, against any person liable therefor, on the production of a certified copy of the ordinance imposing the penalty, and an affidavit showing the connection between the person sued and any steamboat, canal boat, vessel, craft or float, the justice before whom the suit is brought, or the judge of the court in which the suit is brought shall issue or order the issuing of an attachment against such boat, vessel, craft or float, commanding the sheriff or any one of the constables of the county to attach and safely keep the same until discharged in due course of law. The fees allowed by law for serving an attachment against a non-resident debtor, and all the reasonable expenses incurred in keeping the property attached, shall be allowed to the attaching officer, and be taxed by such justice or the proper officer and added to and included in the final costs, if the city recover judgment. The attachment shall be discharged on the delivery to such justice or judge of a bond executed to the city by any claimant of the property, in a penalty, and two sureties to be approved by such justice or judge, conditioned for the payment of any judgment recovered against the defendant in the suit, in thirty days after the recovery thereof. If such property be not so discharged, execution upon any judgment of the city in such suit shall be issued immediately, and shall be levied on such property, and the same shall be sold thereunder in the manner prescribed by law, in the same manner, and with the same effect as though it were the sole and unincumbered property of the defendant.

§ 280. The provisions of the act entitled "An act for the preservation of the public health," passed April tenth, one thousand eight hundred and fifty, and the acts amendatory thereof not in conflict with this charter, shall be applicable to the board of health of the city of Rochester.

TITLE XII.

MISCELLANEOUS PROVISIONS.

§ 281. The common council, or the mayor, or other officer whose duty it shall be to judge of the sufficiency of the proposed sureties of any officer or person of whom a bond or instrument in writing may be required under the provisions of this act, shall examine into and be satisfied of the sufficiency of such sureties, and may require them to submit to an examination under oath as to their property. Such oath may be administered by the mayor or any alderman of said city. The deposition of the surety shall be reduced to writing, be signed by him, certified by the person taking the same, and annexed to and filed with the bond or instrument in writing to which it relates.

§ 282. The mayor or the chairman of any committee or special committee of the city, or any officer, shall have power to administer any oath or take any affidavit in respect to any matter pending before the common council or such committee.

§ 283. Any person who may be required to take any oath or affirmation, or to make any affidavit or statement under oath or affirmation, under or by virtue of any provision of this act, who shall, under such oath or affirmation in any statement or affidavit, or otherwise, willfully swear falsely as to any material fact or matter, shall be guilty of perjury.

§ 284. If a suit shall be commenced against any per-

son elected or appointed under this act to any office, for any act done or omitted to be done, under such election or appointment; or against any person for having done any thing or act by the command of any such officer; and if final judgment shall be rendered in such suit, whereby any such defendant shall be entitled to costs, he shall recover double costs in the manner defined by law.

The board of education is hereby authorised to organise a "teachers' class" in the free academy or high school of said city, which shall be entitled to an annual allowance from the "literature fund" of the state of New York, on the conditions and rules of the regents of the university, adopted for the distribution of said fund in other academies of the state in which such classes are instructed.

§ 286. The common council may, from time to time, direct the city surveyor to prepare and furnish to the board of assessors for their use a brief description of any real estate in the city, or to prepare a roll or rolls of any real estate in the city for said board of assessors, exclusive of valuation. The common council may also take such measures as they shall deem expedient to cause the office of the board of assessors, the repository of such maps, records, documents, surveys and other matters as may facilitate the full and accurate description of the real estate in the city, and direct the manner of keeping them; and shall provide that the same shall be so kept as to show the names of the owners and claimants of each piece or parcel of land, as far as the same can be ascertained. For the purpose of enabling the said board to prepare and perpetuate a more perfect record of the names of such owners and claimants, every deed of conveyance of lands in said city, or other instrument in writing, whereby the ownership of said lands shall be changed, made and executed after the first day of May, one thousand eight hundred and sixty-six, shall, before the same shall be received for record by the county clerk, be presented at the office of said board of assessors, who shall, without fee, note the said transfer of title upon the map in their office, and also note the fact of such presentation upon said deed. But nothing herein contained shall be construed to affect or impair the validity of any record in the county clerk's office.

§ 287. Whenever any alderman in said city shall cease to reside in the ward in and for which he was elected, his office shall be vacant, and his powers as such alderman shall terminate.

§ 288. The managers of the house for idle and truant children in said city shall report to the common council, at its first meeting in January of each year, the estimated expenses of such institution for the ensuing year; and the expenses of providing and maintaining such institution for the reception, clothing, support and instruction of such children shall be raised and defrayed by the common council in the same manner as charges for the support of the poor of said city, unless other provision shall be made for such children.

§ 289. Before the owner of any vacant tract or parcel of land situate in the city of Rochester shall sell or convey to others any portion thereof in subdivisions of such tract or parcel he shall cause a map of such tract to be made, showing the subdivisions thereof, with the numbers of the lots and their dimensions, and all proposed streets, lanes and alleys, which map shall be filed in the office of the Monroe county clerk, and whenever such owner shall convey any portion of said tract in such manner as to effect a subdivision of any lots as designated in such allotment, he shall give notice thereof to the assessors of the city, specifying the part so divided and the manner of division.

§ 290. This charter shall be deemed a public act, and the legislature may at any time repeal, modify or alter the same.

§ 2. All acts and parts of acts, so far as inconsistent with or repugnant to this act or charter, hereby amended, are hereby repealed or declared inapplicable to the said city; but the repeal hereby of any statutory provision shall not affect any action, proceeding, suit or prosecution had or commenced prior to the time when this act shall take effect.

§ 3. This act shall take effect immediately.

STATE OF NEW YORK. } ss.
OFFICE OF THE SECRETARY OF STATE.
I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOSEPH B. CARR, Secretary of State.

Ordered received, filed and published.

PLANK WALK ON OTIS STREET.

By Ald. Wickens—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a 2-plank walk on the north side of Otis street from Sherman street to the west line of Anne street; also the necessary crosswalks.

Adopted.

The Surveyor submitted as such estimate \$250.

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

The construction of a 2-plank walk on the north side of Otis street, from Sherman street to the west line of Anne street.

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

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

One tier of lots on the north side of Otis street from Sherman street to Anne street.

And the Clerk is hereby directed to publish notice in pursuance of Title VII., section 165 of the Revised Charter of 1874, of the city of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council, on Tuesday evening, April 16th, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

STONE SEWER IN NORTH AVENUE.

By Ald. Edelman—Resolved, That the City Surveyor ascertain and report to this Council the expense of constructing a sewer with stone bench walls and curves, 14 feet and 1 1/2 feet by 2 1/2 feet in size, in North Avenue, from the sewer in University Avenue, to the center of Franklin street. Also, the necessary lot laterals, surface sewers and manholes.

Adopted.

The Surveyor submitted as such estimate \$3,600.

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

The construction of a sewer with stone bench walls and curved invert, and 1 1/2 feet by 2 1/2 feet in size, in North Avenue, from the sewer in University Avenue to the center of Franklin street. Also, all the necessary lot laterals, surface sewers and manholes.

And whereas the City Surveyor, under the direction of this Council, has made an estimate of the whole expense thereof and reported the same at \$3,600, which estimate is hereby approved.

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

One tier of lots on each side of North Avenue, from the south line of University Avenue to Franklin street.

Also, the lot on the south-west corner of North Avenue and Franklin street, owned by Mr. Ulrie.

And the Clerk is hereby directed to publish notice in pursuance of title VII., section 165 of the Revised Charter of 1874 of the City of Rochester, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, April 16th, 1880, at half-past 7 o'clock, at the Common Council Chamber, when allegations will be heard.

Adopted.

EXECUTIVE BUSINESS.

Ald. Otis moved that the Board proceed to vote for Commissioner of Deeds. On voting William Carson, William Kane, Jacob Matern, Adolph Schlick, Alvis Waldert, Charles Kingsbury and Robert Blair having received the requisite number of votes were declared elected.

Ald. Tracy moved that the Board proceed to vote for Constable of the 5th ward to supply vacancy. Adopted. On voting John J. Masterson having received the requisite number of votes was declared elected Constable of the 5th ward.

Ald. Hart moved to reconsider the vote taken at the last meeting putting on the table the resolution of Ald. Mandeville in regard to raising money for the Board of Health.

Lost by the following vote.

Ayes—Ald. Chace, Hart—2.

Nays—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Mandeville, Vay, Wickens, Edelman, Weaver, Knobles—13.

By Ald. Vay—Resolved, That the Duffy Cider Company, Aaron Eusbaum, Mary Wright, Nicholas Kegel and Mary Parks have permission to erect wood buildings in accordance with their several petitions under the direction of the Wood Building Committee and Fire Marshal. Adopted.

On motion of Ald. Hebing the Board then adjourned.

EDWARD ANGEVINE,

City Clerk.

In Common Council, April 5, 1880.

FINAL MEETING.

Ald. E. B. Chace, President of the Board, presiding.

Present—Ald. Tracy, FitzSimons, Westbury, Otis, Hebing, Crouch, Chambers, Chace, Mandeville, Wickens, Edelman, Weaver, Hart—13.

Absent—Ald. Warren, Vay, Knobles—3.

The Clerk presented the annual report of the Police Justice. Ordered received, filed and published.

POLICE JUSTICE OFFICE,
ROCHESTER, N. Y., April 1, 1880. }

To the Hon. Common Council:

I herewith transmit a general statement of the business transacted in this office for the year ending March 1st, 1880:

No. of persons arrested.....	2,988
No. convicted of various offenses.....	1,585
No. committed to the Penitentiary.....	655
..... Jail.....	677
..... Western House of Refuge—males 44, females 10.....	54
No. examined and held to answer at Oyer and Terminer.....	244
Admitted to bail and bonds filed.....	158
No. warrants issued.....	1,867
No. convictions of record filed.....	1,585
No. lodgers in Station House.....	1,061
Amount collected for fines, penalties and costs.....	\$7,932 08
..... paid by County for services of Police Department.....	421 10
Amount of fines paid at the Penitentiary for convictions from this Court.....	907 00
Amount received from sale of unclaimed stolen property.....	38 50
Total amount collected.....	\$9,293 68

Respectfully submitted,

GEO. TRUESDALE,
Police Justice.

The President then handed down the following:

gentlemen of the Common Council :

In compliance with established precedents, more than with any desire to be heard on questions that may have become monotonous in your ears, the presiding member of your body takes this occasion to relinquish the duties of the chair, soon to be confided to abler hands. In doing so it would be amiss not to make public acknowledgment of sentiments of gratitude for the high honor conferred by so large a number of your body in selecting for your presiding officer one who, you will remember, avowed his embarrassment upon assuming functions, that were beyond the scope of ordinary business training. For your forbearance and courtesy in general, accept the profoundest thanks. The business of the common council of '79-'80 is finished, and its faults and its virtues are recorded, and in the possession of the community. The verdict of that community is inevitable, and words of mine cannot alter it. Let us console ourselves with the thought that such errors as may have been committed arose from no lack of zeal for the welfare of our city.

Let us congratulate ourselves that the era of business prosperity has in a measure returned, enabling our successors to take necessary steps for municipal advancement, with greater freedom than was warranted by the distressed condition of affairs, local and general, under which our duties commenced. It may be said of this board that we have left undone those things that ought to have been done and done things that ought to have been left undone; upon that score the responsibility is upon us individually and not collectively. The year just passed has been fraught with much that was of vital importance to the taxpayers. It may have been that in listening to the cry of a portion who felt the burthen of taxation, we

have sacrificed measures that pointed to the welfare of the city at large. If so, we have practiced false economy. If we have heralded to the state and country at large, through our widely circulated and intelligent press, a cry that we were crippled by taxation, and thereby driven from our doors willing capital seeking investment, we have added to, instead of decreasing, our burden. If we have failed of opportunities to encourage large enterprises that bring to the city added business advantages; give employment to more people; create a demand for houses to live in; for real estate to build upon; then we have mistaken the purpose for which we were chosen. If we have done these things under the impulse of reform, retrenchment or economy the results are no different than if our acts were inspired by an intention to maliciously injure the good name and prospects of Rochester. It is not too late for those who follow us to imitate the example of sister cities, notably Buffalo, and throw out inducements for the introduction of enterprises which even the blind can see must ultimately result in the general good. Our manufacturing advantages are unequalled; our commercial advantages can be bettered if we study that true economy that teaches this self-evident truth; the burden of taxation is lightened by the enhanced business advantages of a city. The reports of the heads of the different departments, state concisely the condition of affairs in general, and it is unnecessary to allude in detail to them. The expensive waterworks which so swelled the items in the tax-levy have proven to be a most important blessing, and the health statistics show a material reduction in certain forms of diseases arising from the use of impure water. The city of Rochester could not afford to go without its water works. Perhaps we ought to have contented ourselves with the Hemlock water and domestic system alone. It is to be hoped for the general good that the water-takers will so increase that the day will not be far distant when the works shall prove a source of revenue. Our duty to the board of health seems to be imperative. It is a department that looks to you for the funds to continue what is claimed to be necessary measures. If its members have misapplied such amounts (and it is fair to believe they have not) the consequences of a violation of the trust reposed in them will be upon their own heads.

You have had an opportunity of seeing the completion of the State Line railway and the commencement of a tide of travel and business from that source, which warranted the most sanguine hopes of its benefits. It is to be regretted that the city could not have had an opportunity to place itself alongside of experienced and enterprising stockholders—whose success in upholding and protecting the enterprise would have correspondingly advanced the city's interest in the road—an opportunity that was lost by pressing a suit which results in throwing the road into the hands of a receiver, and debarring it from the influences of a great capitalist, whose only desire would have been the natural one of making it pay—making it permanent, and making it a first-class thoroughfare, into a section which can bring wealth and business here.

You have seen the opportunity rejected for accepting what, after much deliberation and mutual concession, seemed to be an imperative necessity, the elevated tracks of the New York Central-Hudson river railroad. The attitude of the chair on this question, (one of the gravest importance) is well known, and need not be referred to, more than to say that his labors have been in the utmost good faith; that were he to continue to represent the people in this board he would continue to advocate the adoption of the measure, in the only form it can be adopted. That line of procedure in his humble judgment is the only one that can be taken and do justice to the entire city, and I feel assured that the company will not only carry

out the full letter and spirit of the proposition, but will make still further concessions and modifications in the city's favor. To be influenced by the seeming interest of an adjacent section of the proposed improvement is but conceding to a minority what is opposed by a majority. It is making the general good subordinate to self-interest. The city cannot afford to throw away its opportunities in important measures of this character, and cripple its commercial advantages. Let us cherish the hope that the board of 1880-81 may find for the people an equitable and satisfactory solution of this problem.

We should not overlook the fact that there is a rich country south of us that desires improved channels of trade. It is in our power, or within the power of our successors, to gratify that desire at no expense to the city. It should be by all means encouraged, and as long as there are those who are willing to introduce a railway to a most desirable shipping point—the junction of the Erie and Genesee Valley canals—another opportunity to enhance the business interests of the city is afforded, which we should be sorry to see neglected.

The city is approaching a centennial of existence, and though we may not live to see it, natural pride and public spiritedness should lead us to hope that the Rochester of the future will not be behind its sister cities, or behind the rapidly advancing age in true reform which means well kept streets, ample sewers, well lighted avenues, due regard for sanitary measures; that it will not be behind in that true economy which dictates the fostering and encouragement, which are necessary to secure commercial advantages arising from railroads, pipe-lines and kindred enterprises, which call for manufactories and industrial occupations and which collect together a community bent upon mutual confidence and success. Looking into the future, the subject of the city's maintaining and conducting for itself and its citizens the supply of light, be it by gas or improved methods,

is not unworthy of discussion. Such action would tend to shelve a subject which is the annual source of debate and dissatisfaction.

In taking leave of you officially, permit me to express the hope that the friendly intercourse we have enjoyed will continue, and that all may meet with a full measure of success in the various avocations pursued. The city attorney, city surveyor, city clerk and assistant, and all the subordinate attaches of the board, together with the press reporters, have placed me under obligations, for so many especial courtesies, that a sense of duty impels a public acknowledgement of the same. Their kindnesses are not forgotten, but will be treasured among the pleasant recollections of four years spent in the city's service—years that have brought their joys and their sorrows in turn. Gentlemen, God speed you all! and prosper the city in which we live

Ordered received, filed and published.

Ald. Hart moved a vote of thanks to the retiring President for the gentlemanly and impartial manner in which he had presided over the deliberations of the Board the past year.

Ald. Mandeville seconded the motion in a few well chosen remarks.

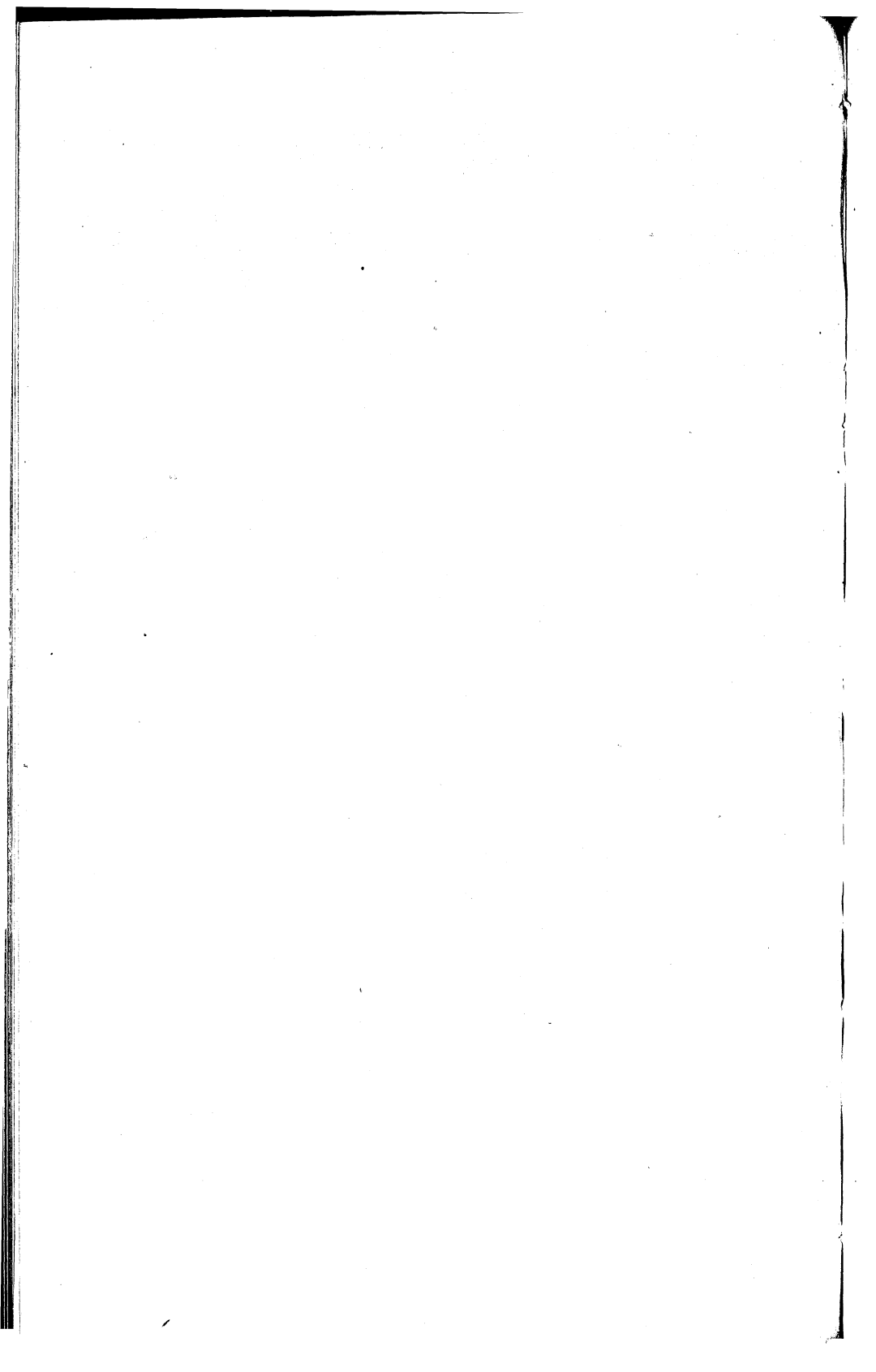
The motion was then unanimously adopted.

Ald. Hebing at this juncture took occasion in appropriate words to express the esteem of the members of the Common Council, city officers and other friends for the President, and in their behalf presented him with an elegant gold watch and Maltese cross.

The President suitably responded.

The President then declared the Board adjourned sine die.

EDWARD ANGEVINE, City Clerk.



City Treasurer's Annual Report.

Trial Balance March 16, 1880.

GENERAL LEDGER.

DEBITS.

Cash on hand and deposited.....	\$54,420 71
Sidewalk Repairs.....	2,521 48
Lands sold for taxes and assessments.....	85,799 68
Lands returned for assessments.....	12,261 06
Bonds and mortgages.....	7,098 87
Monroe Ave. School Loan.....	15,000 00
Monroe Ave. Cemetery Loan.....	5,000 00
Floating Debt Loan, 1868, 1869 and 1870.....	150,000 00
Floating Debt Loan, 1873.....	89,794 36
Floating Debt Loan, 1862.....	51,000 00
R. N. & P. Railroad Loan.....	150,000 00
R. & S. L. Railroad Loan.....	600,000 00
G. V. Railroad Loan (reissued).....	149,067 68
Relief Soldiers' Families Loan.....	40,000 00
City Hall Commissioners Loan.....	388,000 00
Free Academy Site Loan.....	15,000 00
Free Academy Building Loan.....	125,000 00
Water Works Loan.....	3,182,000 00
N. Y. S. Arsenal Loan.....	12,686 18
Steam Fire Engines Loan.....	20,000 00
Main Street Widening Loan.....	25,000 00
Clarissa Street Bridge Loan.....	15,000 00
Funding Loan 1875.....	410,000 00
No. 5 School Loan.....	20,000 00
Deficiency Loan.....	34,408 06
Union Trust Co., general account.....	4,053 50
Union Trust Co., Water Loan Int. acct.....	3,780 00
Appropriation for Deficiencies.....	27,100 00
Rochester Savings Bank account, G. V. Railroad Loan.....	5,072 85
Monroe Co. Savings Bank account, G. V. Railroad Loan.....	5,859 52
Water Works Contractor.....	130 00
Erroneous Assessments.....	839 65
Assessments on Ordinances.....	151,905 14
General Taxes, 1879.....	90,285 70
	\$5,845,479 37

CREDITS.

Board of Education.....	240 41
Fire Department Fund.....	11,072 05
Poor Fund.....	11,897 22
Police Fund.....	7,982 20
Contingent Fund.....	18,108 25
Highway Fund.....	14,918 21
Lamp Fund.....	497 29
Health Fund.....	296 88
City Property Fund.....	1,593 10
House for Truants.....	9 10
Salary and Expense account, Executive Board.....	2,504 26
Park Fund.....	108 11
Water Works Fund.....	17,623 72
Certificate Sales.....	327 10
Acceptances on Assessments.....	52,656 63
Interest on Assessments.....	11,823 37
Local Assessments on City Property.....	3,960 18
Bills Payable.....	185,000 00
Bonded Debt.....	5,440,686 18
General Interest account.....	8,769 27
Water Pipe Fund.....	375 23
Interest on Water Loan.....	3,780 00
Warrant account.....	49,946 26
Collectors of Assessments.....	4,344 98
Stone Breaking account, Executive Board.....	1,333 81
Search Dept.....	982 65
	\$5,845,479 37

STATEMENT

Of Accounts Showing Debit Balances upon General Ledger, March 16, 1880.

Cash.....	
On hand and deposited.....	\$ 54,420 71
Sidewalk Repairs.....	
To balance March 20, 1879.....	\$2,545 86
To charges Abstract, No. 9.....	1,479 38
	\$4,025 19
By amount added to General Taxes.....	\$ 1,181 74
By received from Executive Board as per receipts.....	321 97
	\$1,503 71
	2,521 48

Lands Sold.....	
To balance March 20, 1879.....	\$80,865 52
To Tax Sale.....	42,726 74
To errors in credit of Cts, &c.....	511 69
	\$124,103 95
By Redemptions during year.....	38,304 27
	85,799 68

Lands Returned.....	
To balance March 20, 1879.....	\$ 2,982 18
To returns during year.....	10,875 06
	\$13,857 19
By Redemptions during year.....	1,096 13
	12,261 06

Bonds and Mortgages.....	
To balance March 20, 1879.....	7,098 87
Monroe Avenue School Loan.....	
To balance March 20, 1879.....	15,000 00
Bonds outstanding this amount.....	

Monroe Avenue Cemetery Loan.....	
To balance March 20, 1879.....	5,000 00
Bonds outstanding this amount.....	

Floating Debt Loan, 1868, 1869, 1870.....	
To balance March 20, 1879.....	150,000 00
Bonds outstanding this amount.....	

Floating Debt Loan, 1873.....	
To balance March 20, 1879.....	39,794 36
Bonds outstanding, \$60,000.....	

R. N. & P. RR. Loan.....	
To balance March 20, 1879.....	150,000 00
Bonds outstanding this amount.....	

R. & S. L. RR. Loan.....	
To balance March 20, 1879.....	600,000 00
Bonds outstanding this amount.....	

Floating Debt Loan, 1862.....	
To balance March 20, 1879.....	51,000 00
Bonds outstanding this amount.....	

G. V. RR. Loan (re-issued).....	
To balance March 20, 1879.....	\$156,122 30
By receipts from E. RR. \$6,520 00.....	
By interest on deposits.....	534 67
	\$7,054 67

Bonds outstanding for \$160,000.....	
Relief of Soldiers' Families Loan.....	
To balance March 20, 1879.....	40,000 00
Bonds outstanding this amount.....	

City Hall Commissioners' Loan.....	
To balance March 20, 1879.....	388,000 00
Bonds outstanding this amount.....	

Free Academy Site Loan.....	
To balance March 20, 1879.....	15,000 00
Bonds outstanding this amount.....	

Free Academy Building Loan.....	
To balance March 20, 1879.....	125,000 00
Bonds outstanding this amount.....	

Water Works Loan.....	
To balance March 20, 1879.....	3,182,000 00
Bonds outstanding this amount.....	

N. Y. S. Arsenal Site Loan.....	
To balance March 20, 1879.....	\$14,136 18
By rent of arsenal.....	1,500 00
	12,686 18

Bonds outstanding this amount.....	
Steam Fire Engines Loan.....	
To balance March 20, 1879.....	20,000 00
Bonds outstanding this amount.....	

Main Street Widening Loan.....	
To balance March 20, 1879.....	25,000 00
Bonds outstanding this amount.....	

Clarissa Street Bridge Loan.....	
To balance March 20, 1879.....	15,000 00
Bonds outstanding this amount.....	

Funding Loan of 1875.....	
To balance March 20, 1879.....	410,000 00
Bonds outstanding this amount.....	

No. 5 School Loan.....	
To balance March 20, 1879.....	20,000 00
Bonds outstanding this amount.....	

Deficiency Loan.....	
To balance March 20, 1879.....	\$35,569 92
By credits from redemption.....	1,161 86
	34,408 06

Bonds outstanding for \$50,000.....	
Union Trust Co. General Account.....	

To balance March 20, 1879.....	\$ 1,613 50	
To remittances during year.....	609,894 43	
	\$611,507 93	
By coupons, bonds and notes.....	607,454 43	4,063 50
Union Trust Co. Water Loan Interest Account.		
To balance March 20, 1879.....	\$ 2,870 00	
To remittances during year.....	223,740 00	
	\$226,610 00	
By coupons, interest on registered bonds, and services as transfer agents, as per accounts current, and vouchers returned.....	222,830 00	3,780 00
Appropriations for Deficiencies.		
To notes as per resolutions C. C. Jan. 27, 1880.....	\$ 17,100 00	
To notes as per resolutions C. C. Feb. 24, 1880.....	10,000 00	27,100 00
Rochester Savings Bank.		
To deposits for account Genesee Valley Railroad loan.....		5,072 85
Monroe County Savings Bank.		
To deposits for account Genesee Valley Railroad loan.....		5,559 52
Water Works Contractor.		
To balance March 20, 1879.....		130 00
Erroneous Assessments.		
To balance March 20, 1879.....	\$ 375 98	
To charges abstract No. 20.....	3,135 89	
	3,511 87	
By general taxes.....	2,572 19	939 68
Assessments on Ordinances.		
To balance March 20, 1879.....	\$124,901 86	
To charges abstract No. 19.....	210,327 09	85,825 23
General Taxes.		
To general tax levy 1879.....	\$344,068 64	
To delinquent water rents.....	7,500 57	
To delinquent sidewalk repairs.....	1,181 74	
To taxes paid in error and returned.....	10 90	
	\$32,741 85	
By taxes paid.....	762,116 15	90,585 70
General Taxes 1878.		
To balance March 20, 1879.....	\$100,661 71	
To charges abstract No. 20.....	22 68	
	100,684 39	
By receipts previous to sale.....	\$ 6,619 '93	
By proceeds of tax sales and amounts paid in by collectors on warrants.....	92,176 85	
By charges to erroneous assessments.....	1,887 51	100,684 39
STATEMENT		
<i>Of Accounts Showing Credit Balances on General Ledger, March 16, 1880.</i>		
Board of Education.		
By balance March 20, 1879.....	\$ 2,527 46	
By general taxes.....	120,000 00	
By received from Superintendent.....	692 40	
By State appropriation.....	45,514 50	
By Regents' appropriation.....	1,439 41	
	170,173 77	
To charges abstract No. 1.....	169,933 36	240 41
Fire Department Fund.		
By balance March 20, 1879.....	\$10,151 06	
By general taxes.....	40,000 00	
By received from Fire and Water Board and Executive Board.....	1,869 96	
	52,021 02	
To charges abstract No. 2.....	40,948 97	11,072 05
Poor Fund.		
By balance March 20, 1879.....	\$ 9,396 24	
By general taxes.....	40,000 00	
By city's notes.....	12,000 00	

By police fines.....	786 45	
By Excise Commissioners.....	19,657 60	
By received from Overseer of the Poor.....	315 00	
By rent of coal yard.....	25 00	
By received from County Treasurer from towns.....	1,551 34	
By error in charge Aug. 1, 1879.....	10 00	
	\$3,741 63	
To charges abstract No. 3.....	71,844 41	11,897 22
Police Fund.		
By balance, March 20th, 1879.....	\$6,694 69	
By general taxes.....	59,000 00	
By city notes.....	10,000 00	
By police fines.....	7,059 58	
By received from Chief of Police.....	421 10	
By unclaimed property sold.....	31 00	
By error in December pay roll returned.....	16 16	
	\$8,202 53	
To charges abstract No. 4.....	75,220 33	7,982 20
Contingent Fund.		
By general taxes.....	\$40,000 00	
By amount received for licenses.....	615 00	
By received from Municipal Court.....	3,073 50	
By interest.....	1,388 55	
By City Clerk.....	15 00	
By warrant account.....	10,302 60	
By general taxes, 1878, surplus.....	6 36	
By interest on assessments.....	23,227 58	
By sundries.....	351 41	
	78,980 00	
To balance March 20th, 1879.....	\$1,950 05	
To charges abstract No. 5.....	63,921 70	65,871 75
Highway Fund		
By balance March 20th, 1879.....	\$9,786 83	
By general taxes.....	46,200 00	
By Executive Board.....	3,256 10	
By sundries.....	162 11	
	59,405 04	
To charges abstract No. 6.....	44,486 83	14,913 21
Lamp Fund.		
By balance March 20th, 1879.....	\$11,258 28	
By general taxes.....	55,240 00	
By city notes.....	5,000 00	
By received from City Clerk.....	5 00	
	71,503 28	
To charges abstract No. 7.....	71,005 94	497 29
Health Fund.		
By balance March 20th, 1879.....	\$2,207 61	
By general taxes.....	8,000 00	
By received from City Clerk.....	16 66	
By flushing sewers.....	36 00	
	10,260 27	
To charges abstract No. 8.....	9,963 39	296 88
City Property Fund.		
By balance March 20th, 1879.....	\$1,024 79	
By general taxes.....	5,000 00	
By received for rent.....	620 86	
By sundries.....	21 00	
	6,666 65	
To charges abstract No. 10.....	5,139 55	1,533 10
House for Truants.		
By balance March 20th, 1879.....		9 10
Salary and Expense Account Executive Board.		
By balance March 20th, 1879.....	\$3,002 03	
By general taxes.....	6,000 00	
	9,002 03	
To charges abstract No. 11.....	6,497 77	2,504 26
Park Fund.		
By balance March 20th, 1879.....	\$933 70	
By general taxes.....	1,000 00	
By fence sold.....	38 76	
By error in charge.....	16 50	
By city notes.....	100 00	
	2,088 96	
To charges abstract No. 12.....	1,975 85	108 11

Water Works Fund.

By balance March 20th, 1879.....	\$15,573 85
By general taxes	12,098 43
By delinquencies charged to general taxes.....	7,500 57
By error in charge Sept. 23, 1879.....	32 42
By receipts for water rents.....	77,018 21
	112,218 48
To charges abstract No. 13.....	94,594 76

Certificate Sales.

By amounts to credit of sundry persons, for redemptions for certificates paid, see abstract No. 14.....	527 10
---------------------------------------------------------------------------------------------------------	--------

Acceptance on Assessments.

By balance March 20th, 1879.....	\$36,314 45
By notes given for acceptances..	39,685 08
	75,999 53
To charges abstract No. 15.....	23,242 90

Interest on Assessments.

Surplus of interest and fees to date.....	11,323 87
-------------------------------------------	-----------

Local Assessments on City Property.

By balance March 20th, 1879.....	3,960 19
----------------------------------	----------

Bills Payable.

Notes outstanding.....	185,000 00
------------------------	------------

Bonded Debt.

By balance March 20th, 1879.....	\$5,446,186 13
To bonds paid abstract No. 20.....	5,500 00

General Interest Account.

By balance March 20th, 1879	\$ 6,018 28
By transfer from interest on W. L. account.....	20 00
By general taxes	146,163 02
By received from G. V. R. R. (rent).....	11,490 00
	163,681 30
To charges abstract No. 17	154,913 03

Water Pipe Fund.

By balance March 20th, 1879.....	\$849 74
By W. & F. and Executive Board	178 79
By general taxes.....	35,000 00
By correction of error.....	100 00
	36,128 53
To charges abstract 18.....	35,750 30

Interest on Water Loan.

By balance March 20th, 1879.....	\$2,890 00
By general taxes.....	182,740 00
By water rents.....	40,000 00
	225,630 00
To charges abstract No. 20.....	221,850 00

Warrant Account.

By balance to be transferred to general taxes and interest on assessments after sale.....	49,946 26
Collectors of Assessments.	
By amount collected and to be credited to sundry assessments	4,844 93

Stone Breaking Act Executive Board.

By balance March 20, '79.....	2,368 43
To charges Abstract No. 20.....	1,084 62

Search Dep't Fund:

By receipts for searches since May 20, '78.....	982 65
-------------------------------------------------	--------

Trial Balance, March 16th, 1880.
ASSESSMENT LEDGER.

DEBITS.

Sewers.

York street sewer, No. 1,810	\$ 5 61
Childs ..	264 00
Lancaster street ..	66 15
Delevan ..	1,808 08
South St. Paul street ..	1,802 55
Saxton street outlet ..	1,215 28
Frost avenue ..	1,788 16
North avenue ..	1,875 10
South ..	1,897 47
Wilson street ..	1,832 3 26

No th ..	1,388	592 60
Maple ..	1,300	409 05
University avenue ..	1,304	363 16
Wadsworth street ..	1,381	443 32
Mark ..	1,889	301 89
West avenue ..	1,915	222 87
Ames street ..	1,914	211 50
East avenue outlet ..	1,798	6,175 76
Hand street ..	1,927	220 78
Evergreen place ..	1,932	107 86
Frost avenue ..	1,926	783 11
Goodman street ..	1,945	78 08
Martin street and Hart ave ..	1,946	135 45
Terry ..	1,938	50 88
North ..	1,798	23 98
Wild ..	1,948	36 40
North avenue ..	1,947	461 13
Culvert under railroad ..	1,955	81 55
West avenue ..	1,977	851 92
Webster street ..	1,981	42 78
Lyell avenue ..	1,983	666 87
Tremont street ..	1,984	1,149 75
West avenue ..	2,008	29 81
North St. Paul street ..	2,020	82 50
Summer ..	2,025	778 42
Foehner ..	2,023	74 04
West Alexander street ..	2,022	63 39
Tyer ..	2,021	174 27
North avenue outlet ..	2,024	97 21
Orange street ..	2,084	44 93
Upton Park outlet ..	1,969	835 32
Favor street ..	2,057	494 78
Francis ..	1,902	851 12
Helena ..	2,069	267 09
Draper ..	2,056	73 40
Ringlestein alley ..	2,074	97 21
Putnam street ..	2,075	71 03
Davis ..	2,079	852 56
Campbell ..	2,083	964 77
Repairs Court & William st ..	1,942	296 66

Walks.

Exchange street walk No. 1,815	1 87
Bartlett ..	2 46
Strong ..	10 23
Genesee ..	15 69
North St. Paul street ..	62 32
Conkey avenue ..	10 88
North ..	20 88
St. Joseph street ..	261 79
Monroe avenue ..	103 67
Meigs street ..	9 48
Reynolds street ..	3 87
Channing ..	26 46
Cayuga place ..	11 66
East avenue ..	1,065 95
Moulson street ..	78 92
Vincent place ..	01
Broadway street ..	26 20
Penn ..	51 46
Goodman ..	31 32
Hill ..	120 22
Violetta ..	119 78
King ..	35 00
Davis ..	226 18
Ringlestein alley ..	24 70
White street ..	85 13
Draper ..	34 94
Mount Vernon avenue ..	8 12
Rauber street ..	60 84
Goodman ..	60 80
Munger & Averill street ..	121 21
Phlander ..	27 61
Washington square ..	839 62
North St. Paul street ..	57 96
Cady ..	24 75
Mark ..	36 19
Champlain ..	8 30
Evergreen place ..	35 98
Hart avenue ..	100 00
Wadsworth street ..	97 90
East Main ..	287 70
Helena ..	8 84
Lincoln ..	204 81
Allen ..	26 60
Mansion street ..	83 79
Champlain ..	62 19
East Main ..	5,948 29
Plymouth Park ..	280 91
Jones street ..	160 08
Drayton ..	3,087 45
Lime ..	2,839 52
Upton Park ..	2,086 999 00

Miscellaneous.

Opening street through the Hair property No. 2,062.....	4,224 75
Sprinkling Spring street, No. 2,064.....	224 96
.. Front ..	188 83
.. Monroe avenue ..	200 00
.. Plymouth ..	149 46

..	Plymouth	2,068	149 46
..	Phelps	2,069	54 48
..	West	2,061	573 77
..	Clinton street	2,047	428 22
..	State & Lake ave	2,041	386 40
Whitney & Child street opening	No. 1,628	95 26	
Rowley street extension	1,734	174 60	
Mansion	1,785½	1,352 15	
James	1,912	11 58	
Sprinkling South Clinton street,	1,941	27 50	
.. State street & Lake ave	1,989	6 30	
.. East avenue,	1,987	184 96	
Scott alley stench traps,	2,004	1 70	
Sprinkling East avenue,	2,000	37 51	
.. and repairing East ave	1,999	887 85	
.. Lake avenue	1,991	320 02	
.. West	1,986	143 88	
.. South Clinton street,	1,989	80 01	
.. State	1,988	58 48	
Genesee street fence,	2,017	34 13	
Sprinkling Front street,	2,013	31 77	
No. Washington st. stench trap	2,027	145 00	
Sprinkling State st. and Lake ave	2,001	108 60	
.. Exchange street	1,998	39 66	
.. Meigs	2,011	8 21	
.. East avenue,	2,042	421 25	
.. State and Exchange sts	2,045	280 05	
.. East and West Main	2,044	373 11	
.. Meigs street	2,058	751 96	
.. East avenue,	2,043	260 00	
.. East and West Main sts	1,990	645 32	
.. Park avenue	2,066	402 88	
.. Lake	2,049	175 00	
.. North	2,072	564 25	
.. Union street,	2,070	128 39	
.. Andrews	2,071	147 00	

Improvements.

Oak street improvement,	No. 959	10,902 64
Park avenue	1,583	32 44
North Water street	1,694	4,381 58
Chili Road	1,739	461 77
Adams street	1,830	765 53
Schanck avenue	1,730	408 62
Buffalo street approaches	1,831	40 73
Mt. Hope ave repairs,	1,826	41 60
South Union street improvement	1,813	5,440 14
Atkinson st. impr'ment, E section	1,838	666 91
.. W	1,832	103 92
.. East avenue	1,849	4,066 04
.. State street	1,839	1,361 90
South Fitzhugh st. improvement	1,839	533 83
Vincent place	1,830	829 37
Rowley street	1,907	1,064 05
Sophia	1,919	618 00
West avenue repairs	1,661	358 95
Scott alley	1,956	18 91
South St. Paul street	1,814	1,109 84
North Clinton	1,968	2,390 02
Elizabeth	1,961	42 50
South Fitzhugh	1,960	381 06
West Main	1,970	91 11
.. repairs	1,971	48 94
Main	1,906	117 81
Lancaster street improvement	1,974	1,012 08
Jackson	1,938	325 94
Aqueduct	1,992	1,487 81
West avenue	2,919	86 00
Franklin Square	2,010	876 53
West avenue	1,896	1,942 25
South	1,874	1,534 41
Broadway street	2,040	960 55
Allen	2,053	2,064 32
White	2,068	17,724 23
Hudson	2,060	28,927 97
East Main	2,031	914 27
South Fitzhugh street	2,039	148 55
Allen street approaches,	2,007	2,271 79
Allen lift bridge	1,984	3,208 72
North avenue improvement,		

CREDITS.

Sewers.

German street sewer,	No. 1,823	08
Cady	1,800	8 23
Reynolds	1,791	1 29
Woodbury	1,815	27 89
Jay	1,781	21 81
Colvin	1,785	30 03
Genesee	1,751	50 46
Champlain	1,732	4 51
German & Solo st	1,774	49 21

Walks.

Chatham street walk,	No. 1,702	8 13
Kent	1,773	64 86
West Troup	1,697½	196 57

Miscellaneous.

Boulevard Opening,	No. 1,901	11 56
Park avenue Extension,	No. 1,735	95 10

Sri king East avenue, No. 1,935	8 80
.. Lake	2 86
.. Improvements.	
Phelps avenue improvement, No. 1,805	44 27
Penn street Grading, No. 1,744	56 39
St. Joseph street improvement, No. 1,811	66 44
Court	38 00
Franklin Square	9 64
Genesee Valley Swing Bridge,	163 86
Meigs street improvement,	64 53
Debit balance of assessments on Ordinances as per General Ledger	151,905 14
	<u>\$152,984 66</u>

STATEMENT
Of Accounts Showing Debit Balances on Assessment Ledger.

SEWERS.	
No. 1,810.	
To balance March 20, 1879	\$ 560 14
By credits from roll	\$365 63
By credits from lands returned	188 85
	<u>554 53</u>
	5 61
No. 1,820.	
To balance March 20, 1879	264 00
No. 1,808.	
To balance March 20, 1879	\$ 72 98
By credits from roll	6 88
	<u>66 15</u>
No. 1,808.	
To balance March 20, 1879	\$ 241 90
By credits from roll	\$ 46 19
By lands returned	195 63
	<u>241 82</u>
	08
No. 1,802.	
To balance March 20, 1879	\$ 331 19
By credits from roll	52 64
	<u>278 55</u>
No. 1,215.	
To balance March 20, 1879	\$ 259 25
By credits from roll	5 80
	<u>263 45</u>
No. 1,783.	
To balance March 20, 1879	\$ 1,774 19
By credits from roll	89 18
	<u>1,685 01</u>
No. 1,875.	
To balance March 20, 1879	110 44
No. 1,897.	
To balance March 20, 1879	\$ 203 10
By credits from roll	155 30
	<u>47 80</u>
No. 1,882.	
To balance March 20, 1879	\$ 87 66
By credits from roll	\$40 80
By lands returned	49 59
	<u>84 99</u>
	3 26
No. 1,888.	
To balance March 20, 1879	\$ 806 35
By credits from roll	218 75
	<u>592 60</u>
No. 1,900.	
To balance March 20, 1879	\$ 421 04
By credits from roll	11 99
	<u>409 05</u>
No. 1,904.	
To balance March 20, 1879	\$ 402 93
By credits from roll	39 77
	<u>363 16</u>
No. 1,831.	
To balance March 20, 1879	\$ 487 61
By credits from roll	44 29
	<u>443 32</u>
No. 1,889.	
To balance March 20, 1879	\$ 339 64
By credits from roll	37 75
	<u>301 89</u>
No. 1,915.	
To balance March 20, 1879	\$ 218 48
By credits from roll	195 61
	<u>22 87</u>
No. 1,914.	
To balance March 20, 1879	\$ 306 71
By credits from roll	95 21
	<u>211 50</u>
No. 1,798.	
To balance March 20, 1879	\$ 6,260 02
By credits from roll	84 26
	<u>6,175 76</u>

No. 1,927.		
To balance March 20, 1879.....	\$ 342 17	
By credits from roll.....	121 39	220 78
No. 1,932.		
To balance March 20, 1879.....	\$ 125 13	
By credits from roll.....	17 75	107 88
No. 1,926.		
To balance March 20, 1879.....		783 11
No. 1,945.		
To balance March 20, 1879.....	\$ 99 63	
By credits from roll.....	21 60	78 03
No. 1,946.		
To balance March 20, 1879.....		135 45
No. 1,938.		
To balance March 20, 1879.....	\$ 65 52	
By credits from roll.....	14 44	50 88
No. 1,793.		
To balance March 20, 1879.....	\$ 84 11	
By credits from roll.....	60 18	23 93
No. 1,948.		
To balance March 20, 1879.....		36 40
No. 1,947.		
To balance March 20, 1879.....	\$ 980 87	
By credits from roll.....	519 74	461 13
No. 1,955.		
To balance March 20, 1879.....	\$ 92 01	
By credits from roll.....	10 46	81 55
No. 1,977.		
To balance March 20, 1879.....	\$ 2,252 43	
By credits from roll.....	1,400 51	851 92
No. 1,981.		
To balance March 20, 1879.....	\$ 60 58	
By credits from roll.....	17 80	42 78
No. 1,983.		
To balance March 20, 1879.....	\$ 973 25	
By credits from roll.....	306 38	666 87
No. 1,994.		
To balance March 20, 1879.....	\$ 1,493 00	
By credits from roll.....	348 25	1,149 75
No. 2,308.		
To balance March 20, 1879.....		28 31
No. 2,020.		
To balance March 20, 1879.....	\$ 182 75	
By credits from roll.....	100 23	82 50
No. 2,025.		
To balance March 20, 1879.....	\$ 939 09	
By credits from roll.....	160 67	773 42
No; 2,023.		
To balance March 20, 1879.....	\$ 149 14	
By credits from roll.....	75 10	74 04
No. 2,022.		
To balance March 20, 1879.....	\$ 299 16	
By credits from roll.....	235 77	63 39
No. 2,021.		
To balance March 20, 1879.....	\$ 258 40	
By credits from roll.....	84 13	174 27
No. 1,794.		
To balance March 20, 1879.....	\$ 3,269 47	
By lands returned.....	\$3,051 44	
By credits from roll.....	208 73	3,260 17
No. 2,034.		
To balance March 20, 1879.....	\$ 497 50	
To charges abstract No. 19.....	69 31	
	566 81	
By credits from roll.....	521 88	44 93
No. 1,969.		
To balance March 20, 1879.....	\$ 1,475 76	
By credits from roll.....	640 44	835 32
No. 2,057.		
To charges abstract No. 19.....	\$ 1,113 04	
By credits from roll.....	618 26	494 78

No. 1,902.		
To balance March 20, 1879.....	\$ 1,649 52	
By credits from roll.....	758 40	851 12
No. 2,059.		
To charges abstract No. 19.....	\$ 666 65	
By credits from roll.....	409 56	257 09
No. 2,056.		
To charges abstract No. 19.....	\$ 283 48	
By credits from roll.....	205 08	78 40
No. 2,074.		
To charges abstract No. 19.....	\$ 125 50	
By credits from roll.....	28 29	97 21
No. 2,075.		
To charges abstract No. 19.....	\$ 343 50	
By credits from roll.....	272 47	71 03
No. 2,079.		
To charges abstract No. 19.....		852 56
No. 2,083.		
To charges abstract No. 19.....		964 77
No. 1,942.		
To balance March 20, 1879.....	\$ 578 43	
By credits from roll.....	281 77	296 66
WALKS.		
No. 1,818.		
To balance March 20, 1879.....	\$ 70 67	
By credits from roll.....	\$ 5 15	
By lands returned.....	63 65	1 87
No. 1,748.		
To balance March 20, 1879.....	\$ 135 70	
By credits from roll.....	\$ 1 13	
By lands returned.....	132 12	2 46
No. 1,680.		
To balance March 20, 1879.....	\$ 400 32	
By credits from roll.....	\$ 18 14	
By lands returned.....	371 95	10 23
No. 1,755.		
To balance March 20, 1879.....	\$ 150 33	
By credits from roll.....	\$45 72	
By lands returned.....	83 92	15 69
No. 1,731.		
To balance March 20, 1879.....	\$ 560 92	
By credits from roll.....	\$143 30	
By lands returned.....	355 30	62 32
No. 1,735.		
To balance March 20, 1879.....	\$ 173 23	
By credits from roll.....	\$ 12 80	
By lands returned.....	149 60	10 88
No. 1,860.		
To balance March 20, 1879.....	\$ 119 80	
By credits from roll.....	\$61 71	
By lands returned.....	37 21	20 83
No. 1,872.		
To balance March 20, 1879.....	\$ 278 32	
By credits from roll.....	16 53	261 79
No. 1,861.		
To balance March 20, 1879.....	\$ 285 64	
By credits from roll.....	181 97	103 67
No. 1,836.		
To balance March 20, 1879.....	\$ 17 85	
By credits from roll.....	8 37	9 43
No. 1,925.		
To balance March 20, 1879.....	\$ 50 28	
By credits from roll.....	46 41	3 87
No. 1,921.		
To balance March 20, 1879.....	\$ 72 71	
By credits from roll.....	50 25	22 46
No. 1,934.		
To balance March 20, 1879.....	\$ 23 50	
By credits from roll.....	11 84	11 66
No. 1,933.		
To balance March 20, 1879.....	\$ 1,439 98	
By credits from roll.....	374 03	1,065 95

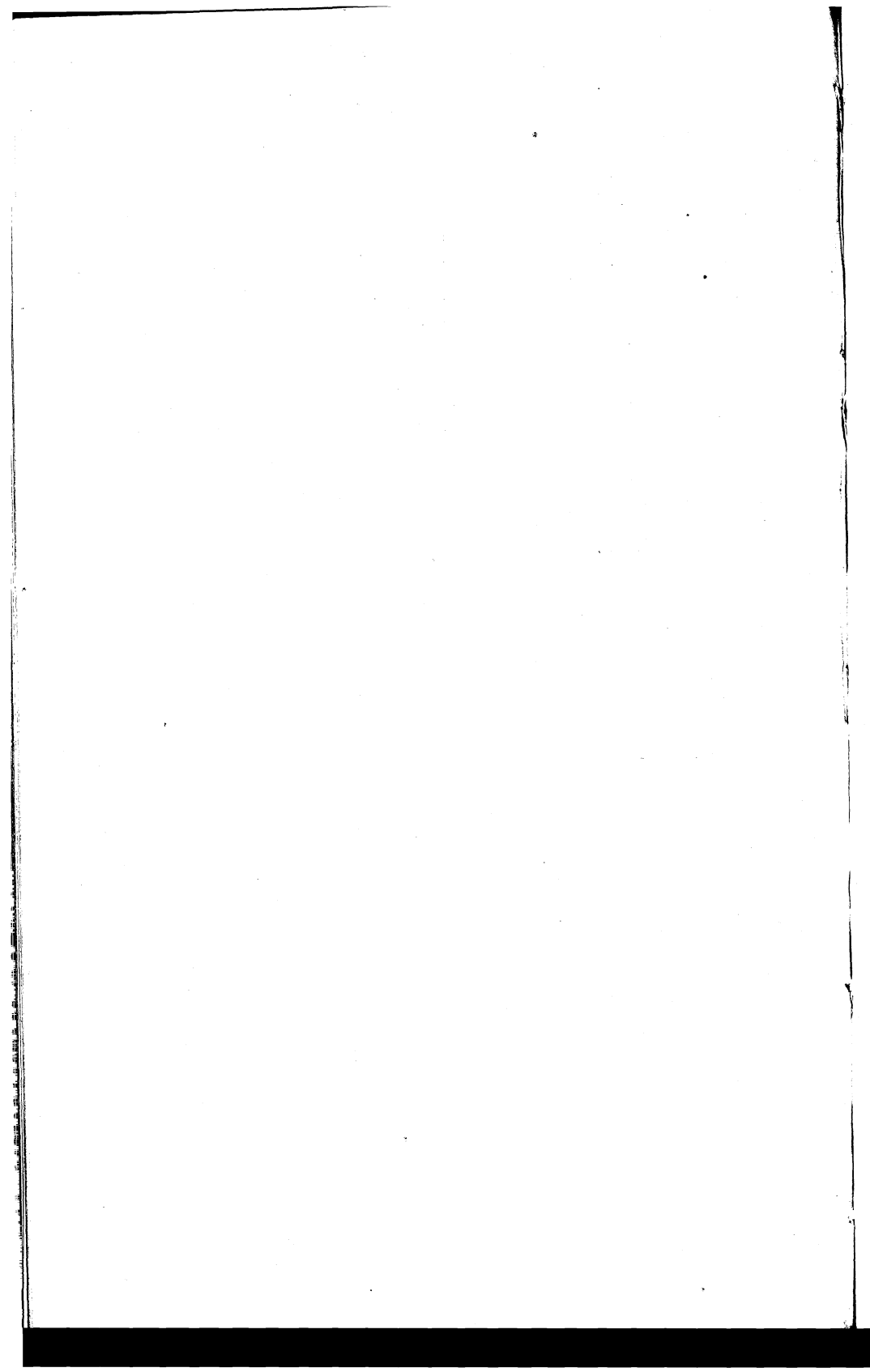
No. 1,959.	
To balance, March 20, 1879.....	
No. 1,962.	
To balance, March 20, 1879.....	
No. 1,966.	
To balance, March 20, 1879.....	\$ 26 21
By credits from roll.....	01
No. 1,968.	
To balance, March 20, 1879.....	\$ 51 50
Bo credits from roll.....	02
No. 1,951.	
To balance, March 20, 1879.....	
No. 1,972.	
To balance, March 20, 1879.....	\$ 191 72
By credits from roll.....	71 50
No. 1,975.	
To balance, March 20, 1879.....	
No. 1,997.	
To balance, March 20, 1879.....	
No. 2,002.	
To balance, March 20, 1879.....	\$ 247 80
By credits from roll.....	21 61
No. 1,978.	
To balance, March 20, 1879.....	\$ 28 62
By credits from roll.....	3 92
No. 2,014.	
To balance, March 20, 1879.....	
No. 2,016.	
To balance, March 20, 1879.....	
No. 2,009.	
To balance, March 20, 1879.....	\$ 24 12
By credits from roll.....	16 00
No. 1,982.	
To balance, March 20, 1879.....	
No. 1,963.	
To balance, March 20, 1879.....	
No. 1,964.	
Balance, March 20, 1879.....	
No. 2,081.	
To balance, March 20, 1879.....	
No. 2,009.	
To balance, March 20, 1879.....	\$ 922 86
By credits from roll.....	83 24
No. 2,085.	
To balance, March 20, 1879.....	\$ 285 54
By credits from roll.....	177 83
No. 2,036.	
To balance, March 20, 1879.....	
No. 2,032.	
To balance, March 20, 1879.....	\$ 224 78
By credits from roll.....	188 59
No. 2,080.	
To balance, March 20, 1879.....	\$ 50 08
By credits from roll.....	41 78
No. 2,067.	
To charges abstract No. 19.....	\$ 72 83
By credits from roll.....	36 45
No. 2,033.	
To charges abstract No. 19.....	\$ 115 60
By credits from roll.....	8 70
No. 2,054.	
To charges abstract No. 19.....	\$ 155 14
By credits from roll.....	57 24
No. 2,037.	
To charges abstract No. 19.....	\$ 1,124 77
By credits from roll.....	836 77
No. 2,058.	
To charges abstract No. 19.....	\$ 68 25
By credits from roll.....	59 41
No. 2,060.	
To charges abstract No. 19.....	\$ 620 57
By credits from roll.....	415 76

No. 2,076.	
To charges abstract No. 19.....	\$ 60 80
By credits from roll.....	34 20
	26 60
No. 2,073.	
To charges abstract No. 19.....	\$ 201 89
By credits from roll.....	112 60
	88 79
No. 2,082.	
To charges abstract No. 19.....	\$ 70 09
By credits from roll.....	7 90
	62 19
No. 2,078.	
To charges abstract No. 19.....	5,948 29
No. 2,080.	
To charges abstract No. 19.....	280 91
No. 2,085.	
To charges abstract No. 19.....	160 08
No. 2,087.	
To charges abstract No. 19.....	45 15
No. 2,089.	
To charges abstract No. 19.....	53 69
No. 2,086.	
To charges abstract No. 19.....	999 00
MISCELLANEOUS.	
No. 2,062.	
To charges abstract No. 19.....	4,224 75
No. 2,064.	
To charges abstract No. 19.....	294 96
No. 2,048.	
To charges abstract No. 19.....	188 83
No. 2,065.	
To charges abstract No. 19.....	200 00
No. 2,063.	
To charges abstract No. 19.....	149 46
No. 2,069.	
To charges abstract No. 19.....	54 43
No. 2,061.	
To charges abstract No. 19.....	573 77
No. 2,047.	
To charges abstract No. 19.....	423 22
No. 2,041.	
To charges abstract No. 19.....	386 40
No. 1,623.	
To balance, March 20, 1879.....	\$ 165 27
By credits, from roll.....	70 00
	95 26
No. 1,734.	
To balance, March 20, 1879.....	\$ 270 22
By credits, from roll.....	95 62
	174 60
No. 1,788½.	
To balance, March 20, 1879.....	1,852 15
No. 1,912.	
To balance, March 20, 1879.....	11 58
No. 1,941.	
To balance, March 20, 1879.....	\$ 49 33
By credits, from roll.....	21 83
	27 50
No. 1,939.	
To balance, March 20, 1879.....	\$ 41 23
By credits, from roll.....	\$14 61
By lands returned.....	20 12
	84 93
	6 30
No. 1,987.	
To balance, March 20, 1879.....	\$ 607 00
By credits, from roll.....	422 04
	184 96
No. 2,004.	
To balance, March 20, 1879.....	\$ 20 30
By credits, from roll.....	19 60
	1 70
No. 2,000.	
To balance, March 20, 1879.....	\$ 386 08
By credits, from roll.....	348 72
	37 31
No. 1,999.	
To balance, March 20, 1879.....	\$ 620 00
By credits, from roll.....	282 15
	337 85
No. 1,991.	
To balance, March 20, 1879.....	\$ 586 45
By credits, from roll.....	266 43
	320 02

No. 1,986.	
To balance, March 20, 1879.....	\$ 504 36
By credits, from roll.....	360 42
No. 1,989.	
To balance, March 20, 1879.....	\$ 306 00
By credits, from roll.....	225 99
No. 1,988.	
To balance March 20, 1879.....	\$ 351 00
By credits from roll.....	292 52
No. 2,017.	
To balance March 20, 1879.....	
N	
To balance March 20, 1879.....	\$ 83 33
By credits from roll.....	61 36
No. 2,027.	
To balance March 20, 1879.....	
No. 2,001.	
To balance March 20, 1879.....	\$ 401 66
By credits from roll.....	293 06
No. 1,998.	
To balance March 20, 1879.....	\$ 150 00
By credits from roll.....	111 35
No. 2,011.	
To balance March 20, 1879.....	\$ 50 00
By credits from roll.....	41 79
No. 2,042.	
To charges abstract No. 19.....	
No. 2,046.	
To charges abstract No. 19.....	
No. 2,045.	
To charges abstract No. 19.....	
No. 2,044.	
To charges abstract No. 19.....	
No. 2,053.	
To charges abstract No. 19.....	
No. 2,043.	
To charges abstract No. 19.....	
No. 1,990.	
To balance March 20, 1879.....	\$ 1,200 00
By credits from roll.....	797 12
No. 2,066.	
To charges abstract No. 19.....	
No. 2,049.	
To charges abstract No. 19.....	
No. 2,072.	
To charges abstract No. 19.....	
No. 2,070.	
To charges abstract No. 19.....	
No. 2,071.	
To charges abstract No. 19.....	
IMPROVEMENTS.	
No. 959.	
To balance March 20, 1879.....	
No. 1,538.	
To balance March 20, 1879.....	\$ 254 97
By credits from roll.....	222 53
No. 1,694.	
To balance March 20, 1879.....	
No. 1,739.	
To balance March 20, 1879.....	
No. 1,880.	
To balance March 20, 1879.....	
No. 1,780.	
To balance March 20, 1879.....	\$ 428 79
By credits from roll.....	20 17
No. 1,821.	
To balance March 20, 1879.....	\$ 811 81
By credits from roll.....	\$509 53
By lands returned.....	261 55
	771 08
No. 1,813.	
To balance March 20, 1879.....	\$ 5,517 14
By credits from roll.....	77 00

No. 1,826.	
To balance March 20, 1879.....	\$ 164 60
By credits from roll.....	\$ 53 83
By lands returned.....	64 22
	123 10
No. 1,838.	
To balance March 20, 1879.....	\$ 708 08
By credits from roll.....	41 17
	666 91
No. 1,832.	
To balance March 20, 1879.....	
No. 1,849.	
To balance March 20, 1879.....	
No. 1,889.	
To balance March 20, 1879.....	\$ 1,907 81
By credits from roll.....	545 91
	1,361 90
No. 1,879.	
To balance March 20, 1879.....	\$ 777 47
By credits from roll.....	193 59
	583 88
No. 1,880.	
To balance March 20, 1879.....	\$ 665 32
By credits from roll.....	35 95
	629 37
No. 1,907.	
To balance March 20, 1879.....	\$ 2,936 95
By credits from roll.....	1,872 90
	1,064 05
No. 1,919.	
To balance March 20, 1879.....	\$ 2,172 98
By credits from roll.....	1,554 98
	618 00
No. 1,661.	
To balance March 20, 1879.....	\$ 816 43
By credits from roll.....	\$ 304 02
By lands returned.....	153 46
	457 48
No. 1,956.	
To balance March 20, 1879.....	\$ 73 97
By credits from roll.....	55 06
	18 91
No. 1,814.	
To balance March 20, 1879.....	\$ 2,443 57
By credits from roll.....	733 73
	1,709 84
No. 1,958.	
To balance March 20, 1879.....	\$ 4,938 64
By credits from roll.....	2,548 62
	2,390 02
No. 1,961.	
To balance March 20, 1879.....	\$ 125 16
By credits from roll.....	82 66
	42 50
No. 1,960.	
To balance March 20, 1879.....	
No. 1,970.	
To balance March 20, 1879.....	\$ 139 26
By credits from roll.....	48 15
	91 11
No. 1,971.	
To balance March 20, 1879.....	\$ 242 97
By credits from roll.....	194 03
	48 94
No. 1,906.	
To balance March 20, 1879.....	\$ 163 63
By credits from roll.....	45 87
	117 81
No. 1,974.	
To balance March 20, 1879.....	\$ 2,453 15
By credits from roll.....	1,441 07
	1,012 08
No. 1,993.	
To balance March 20, 1879.....	\$ 613 71
By credits from roll.....	317 77
	295 94
No. 1,992.	
To balance March 20, 1879.....	\$ 3,181 31
By credits from roll.....	1,633 50
	1,497 81
No. 2,019.	
To balance March 20, 1879.....	
No. 2,010.	
To balance March 20, 1979.....	\$ 2,167 85
By credits from roll.....	1,491 32
	676 53
No. 1,896.	
To balance March 20, 1879.....	\$ 3,295 93
By credits from roll.....	1,353 68
	1,942 25

5.440 14



INDEX.

A.	
Abelis, David	218
Ackerman st. widening and exten'g of	12
" " " " " " " "	12
" " " " " " " "	16
Ackerman st. widening and extending	12
" " " " " " " "	21
" " " " " " " "	83
" " " " " " " "	138
" " " " " " " "	159
Afful Adam, appt. of.....	111
Aikenhead, W. & J. M., bill 43, 98,	112
" " " " " " " "	154, 184, 218, 249
Aikenhead, W. & J. M., contract awar-	102
" " " " " " " "	29
" " " " " " " "	33
" " " " " " " "	64
" " " " " " " "	76
" " " " " " " "	78
" " " " " " " "	153
" " " " " " " "	79
" " " " " " " "	88
" " " " " " " "	127
" " " " " " " "	153
Alling & Cory, bill	90
Aldermen accused of receiving money	97
" " " " " " " "	117
Allen st. imp., local imp. asst. of 127,	153
" " " " " " " "	153
Aldridge, George, bill.....	131, 196, 211
Almeroth st. naphtha lamp in.....	238
Allen, Oliver, com. from	238
Allen, Albert S. petition of.....	254
American District Telephone Exchange	54
" " " " " " " "	69
Amerang, Louis, petition	44
" " " " " " " "	56
Ames st. petition for plank walk in ...	72
" " " " " " " "	87
" " " " " " " "	96
" " " " " " " "	96
" " " " " " " "	110
" " " " " " " "	110
Ames, Edward, petition of	92
" " " " " " " "	111
American Union Telegraph Co. permis-	129
" " " " " " " "	141
American Union Telegraph Co. report	145
American Union Telegraph Co., remon-	146
American Union Telegraph Co., reso-	160
Ambrose st. water mains in	153
Amsden, F. J., bill of	254
" " " " " " " "	278
Anderson, Wm. H. qualified.....	11
Angevine, Edward, bill.....	24, 55, 164, 249
Angel, Andrew S. petition	43
" " " " " " " "	56
Andrew st. sprinkling of, petition of... 44	48
" " " " " " " "	66
" " " " " " " "	236
Angle, James L., bill of	98
" " " " " " " "	100
Andrews, E. R., bill	98, 154, 164
Angle, James L., opinion of in regard to	163
" " " " " " " "	164
Andrews st. sprinkling of	263
Appel, Geo. bill	112
Apply, Joseph.....	196
Arnold, Geo., Com. from	16
Archer, Geo. W., petition of.....	38
Arkland, John B., report of Law Com. 46	116
" " " " " " " "	128
Arnold, H. G. petition of.....	142
Artillery Band bill	165
Army of the Cumberland, invitation of. 170	182
Arden, Chas., market license	182

Asbury Methodist Church, to be exempt
 from tax... 37
 " " " tax canceled 57
 Assembly Member of, to oppose char-
 ter..... 41
 Assessment rolls, general con. of...70, 71
 Ashton Chas., refund of license fee...180
 Assessor, election of.....191
 Attorney, city, to report as to eligibility
 of officers..... 9
 Attorney, city, report of..... 17
 " " " on closing of Gene-
 see Valley Can-
 nal..... 15
 " " on salaries..... 24
 " " on violation of R.R. ord 27
 " " Com. in regard to rail-
 road case..... 34
 " " Com in regard to Gene-
 see Valley canal
 R.R..... 38
 " " " to revise city char-
 ter & ordinances. 42
 " " " to institute proceed-
 ings to close
 Goodman st..... 56
 " " referred to a matter of
 erection of tele. poles.. 69
 " " to secure right of way
 for extension lake ave.
 outlet sewer..... 79
 " " to take legal measures
 to procure right of way 131
 " " opinion of, in regard to
 engineer of water works 134
 " " to defend suit of Finance
 Committee of 1875... 145
 " " Com. from, in regard to
 J. B. Perkins.....151
 " " to defend suit.....153
 " " to present opinion on
 Mayor's veto.....153
 " " opinion on validity of
 Mayor's veto.....171
 " " to defend action against
 city.....192
 " " to prepare deeds.....211
 " " opinion in regard to
 Lake ave. outlet sewer 213
 " " to negotiate with parties
 living on Goodman st.
 on closing st.....226
 " " on damages of people on
 bridge over Main st...231
 " " Com. from, in regard to
 Seth Marsh suit..... 242
 " " not to enter into nego-
 tiations in regard to
 bridge over Main st..250
 Avenue B.C.&D., petition for lamps in 132

B.

Bauerschmidt, A., bill 9, 71, 117, 164, 210
 [240, 249, 267
 Bainbridge, J. P., qualified..... 19
 Backus ave. petition of tax payers..... 22

Barret, John R., petition of..... 24
 " " " granted.... 32
 Bausch, Edward E., app't. of..... 27
 " " " qualified. 28
 Baker, Chas. S. Hon. clerk to transmit
 telegram.. 29 to 52, vote of thanks 52
 Bastian, Geo. bill.....30, 71, 90, 113, 240
 Barnum, P. T. license granted.....43, 82
 Babcock, H. C. contract awarded to. 55, 77
 " " order in favor of..... 92
 Bargy, W. B. petition granted..... 56
 Basil, Michael petition..... 45
 " " granted..... 56
 Baker, B. M. tax sale assigned to.... 71
 Backus, Orrin bill..... 71
 Bardwell, J. M. claim of..... 91
 " " rep'd adversely against 113
 Banks, depositing City's money in.... 97
 Babcock, James H. petition of..... 45
 " " reported adversely
 aga'nst.....113
 Banning, Mrs. Charlotte reported ad-
 versely against.....119
 Bartholic, G. A. petition of.....240
 Bakers, Claims of.....129
 " " " indef. postponed....129
 Bach, Fred. ord. in favor of.....159
 Bauer, Ferry petition of.....192
 Bates st., name of changed to Park ave.192
 Band, 54th Reg't. invitation of.....193
 Bay st. plank walk, first ordinance...203
 " " " final ordinance...215
 Barton, Chas. name of withdrawn from
 bond.....208
 Baker, C. S. bill.....249
 " " thanks of Council to...252
 " " resolution.....266
 Babbitt, C. R. petition of.....250
 " " remission of taxes...258
 Baldwin, Loren release of lien.....278
 Bausch, J. J. petition of, granted..... 44
 Baden st. petition for water mains.... 44
 Benford, Geo. D. Dr. annual report of. 9
 Benton & Dickinson, order in favor of 18, 24
 Beobachter, Rochester to print proceed-
 ings..... 26
 Benjamin, Col. Wm. H. order in favor
 of..... 55
 Beamont, Wm. bill..... 55
 Bennett, Jas. R. tax released.....67, 68
 Benjamin, W. M. petition granted.... 76
 Bender, H. & P. bill..... 82
 Bentley, Meyer and Southwick pet. of 83
 " " rep'ted
 adversely against..... 91
 Beck, Louis P. bill.....90, 142
 Bell, Geo. petition of..... 91
 Benjamin and Barber, bill.....113
 Berna, Nicholas, petition of.....152
 Benford and Stewart, bill.....43, 154
 Beck, Wm. and Amelia C. petition of 196
 " " granted...212
 Beemer, Mary petition of.....240
 Binney, Omar appointment of..... 22
 " " qualified..... 28
 Bickel, John bill of..... 30
 Bingham, Wm. petition of..... 56

Bishop, J. H. appointment of.....	37	Brown, Jno. M. petition of.....	253
" " qualified.....	47	Bryan, James E. petition of.....	254
Bloss, Chas. petition of.....	90	Burns, J. C. qualified.....	19
Blakely, King & Carey, bill.....	99, 183, 196	Burke, Dr. J. J. A. election of.....	23
Boundary line in regard to changing of		" " qualified.....	28
" " " " 9 & 10, 16		Burrows, A. C. petition.....	24
" " " changing of indef. post.		Buckley & Abbs, bill of.....	30
poned.....	16	Bubser Julia A. tax lien released....	40
Bosworth, Jno. H. petition of.....	249, 253	Butler, Jas. bill.....	55
Booth, E. B. bill.....	31	Buckley, Thos. bill.....	56
Boughton, E. tax cancelled.....	41	Burke, P. & Co., bill.....	71
Board of Education, estimates.....	57	Bulkley, M. & Co., bill, 71, 82, 98, 117, 142,	
" " Com. from.....	135, 283	[164, 196, 218, 240, 249, 254	
" " City Treasurer to		Burke, Fitzsimons, Hone & Co., bill, 90,	
raise fund for....	51	[99, 218	
Booth, Margret petition of.....	91	Butterfield, J. E. bill.....	117, 164, 229
Boardman, Sherman & Co. bill.....	98	Buckley, Chas. bill.....	142
Boss, Louis contract awarded to....	102	Buckley, Mary, petition of.....	154
" " bill of.....	117, 142, 164, 184, 218	" " money refunded.....	166
[240, 249, 267		Butchers, petition of.....	159
Bonesteel, J. F. claim of.....	103	Buell, Geo. C. thanks to.....	161
Bowman, John fine remitted.....	152	Burlingame Jas. K. claim of.....	257
Boshold, Henry license granted.....	153	Butler, W. G. remission of taxes.....	258
Boss, A. bill.....	154		
Bostwick & Heindle, bill.....	164		
Borrodaille, Rebecca tax sale assigned.	182		
Bower, Ferry order in favor of.....	229, 230		
Boyd, Jennie tax canceled.....	248		
Board of Health, funds of.....	58		
" " " to see that section 249			
is enforced....	192, 204		
" " " Com. from.....	274		
" " " resolution on.....	311		
Brewster, H. Austin bill....	9, 143, 165, 184		
[229			
Bromley, Chas. P. petition granted....	28		
Brock, Wm. election of.....	37		
" " qualified.....	47		
Brayer, W. L. bill.....	55, 154, 240		
Brown & De Vos, remons. against nuisance			
of.....	56		
Brasch, Valentine petition of.....	72		
" " re'tt' ad'verly against	121		
Brandt, Louis W. bill.....	90, 142, 267		
Brady, J. R. bill.....	90, 211, 254		
Brown st. sewer in first ordinance.....	128		
" " " indef. postponed.....	139		
" " " petition for sewer in.....	129		
" " " " pipe sewer in....	142		
Brown, Fortune C. petition of.....	131		
" " " granted.....	157		
Brown st. quarry, in nuisance.....	154		
Brady, Gilbert & Co., bill.....	154, 184, 196		
[211, 240			
Brewster, Gordon & Co. bill.....	164		
Briggs & Son, bill.....	165		
Brayer, Mich. tax sale assigned.....	182		
Bread bills referred to Law Com.....	211		
Breakey, James bill.....	218		
Briders, C. petition of.....	218		
Brown st. Lift Bridge, communication			
" " " in regard to.....	223		
" " " estimate of inc'd	236		
" " " " final ord. for....	246		
Brayer, N. S.....	249		
Brooks, Wm. D. petition.....	250		
Briggs, Mrs. E. tax lien released.....	252		
		C.	
		Carroll, Wm. bill of.....	24
		Cayuga Place, petition for plank walk in	
		[55, 254	
		Carter, I. F. bill.....	71, 113
		Campbell St., petition for sewer in.....	90
		" " first ord. for.....	94
		" " final ord. postponed, III,	
		[116, 128	
		" " amended.....	111, 128
		" " petition for sewer in.....	112
		" " final ord. for pipe sewer,	138
		" " ass. con.....	277
		" " local imp't ss't of.....	217
		Campbell, James petition of.....	154
		Caring, F. W. contract to be awarded to	209
		Carle, Peter petition of.....	229
		Carle, Andrew appt of.....	236
		" " qualified.....	242
		Canvassers, Board of.....	253
		" " qualified.....	274
		Casper St., petition for lamps in.....	272
		Cady St., petition for water mains....	43
		Canfield, J. W. petition granted.....	50
		Central Union Telegraph Co., petition of	94
		" " " " granted.....	115
		" " " " com. on.	97
		Centre St., petition for opening and ex-	
		" " " tension of.....	131
		" " " report on extension of.....	182
		Chace, Ald. E. B., election of.....	3
		" " " qualified.....	19
		" " " election of.....	183
		Chester, Thomas petition of.....	23
		Charter amendments, changing number	
		of Executive Board.....	28
		Chapin, Lucina, tax sales assigned to....	29
		Chapman, Samuel W. appoint.....	55
		Chamberlain, J. R. bill.....	72, 218
		Champlain St., petition for plank walk,	72
		" " first ord.....	94

Cheney, Wm. H. order in favor of 83, 152, 192	Clerk, City, to furnish assessors with number of lamps in 15th and 16th wards..... 41
Champlain St., final ord. postponed.....111	“ “ to pay monthly salaries... 42
“ “ final ord.....116	“ “ to order directions..... 97
“ “ local improvement ass't 178	“ “ to advertise for allegations through Hair property....159
“ “ confirmation ass't roll.226	Committee, Law, referred to.....17, 69
Charter amendments in regard to persons appointed by Common Council. 135	“ “ report of in regard to tax sales..... 24
Charter amendments in regard to Executive Board .....135	“ “ report to Muni'l Court 25
Charter amendments in regard to Municipal Court.....136	“ “ bill of J. H. Shedd... 25
Charter amendments in regard to Teachers' wages.....137	“ “ report in regard to telegraph poles in..... 74
Charter amendments to bridges over Erie Canal at Brown and Smith St's.137	“ “ report in regard to Simon Sexsmith . . . 74
Charter amendments to provide for prisoners in Monroe Co. Peniten'y .137	“ “ referred to in matter of State Line R. R..... 77
Charter amendments conferring additional powers on Executive Board, and Fire and Water Boards.....138	“ “ to get opinion of Judge Angle and J. C. Cochran 91
Charter amendments, revision of, 226, 227, 228	“ “ report of in matter of State Line R. R.....100
Charter amend's in regard to schools...236	“ “ report of in matter of Finance Com'e 1875... 145
Charter amendments, amending of...239	“ “ report on bread claims 240
Charter amend's, resolutions in regard to 52	“ “ report of on Ellwanger & Barry claims..... 51
Charter amend's, Com. resolution for...281	“ “ contract entered into. 51
Charter amendments, new.....283	Committee on salaries to report..... 9
Church Home, bill.....142	“ “ report of... 17
Chatham St., gas mains in.....153	“ “ final report..... 27
Chatham St., petition for water mains in 44	Concordia Trustees, petition..... 44
Chandler, W. Frank, appointment of...236	“ “ granted..... 56
Champlain St., lot 52 tax released.....238	Committee, Improvement referred to, 9, 14
Chappell, Asa W. petition of.....253	Cook, C. S. petition of.....249
Citizens' Gas Co., contract of..... 10	Commissioner of Mt. Hope, election of 13
“ “ to enter into contract 22	Collins, Dr., claim of..... 14
“ “ “ bill of, 23, 55, 82, 89, 113, [52	Cook, Franklin C. tax sale assigned to 225
[130, 142, 143, 153, 154, 164, 165, 184, 196, 210, 211, 228, 229, 249, 267, 281	Committee on outlet sewer in 8th ward, report of.....14, 15
Citizens' Gas Co., order in favor of, 97, 139	Cochrane, James C. bill of..... 98
“ “ to lay mains, 139, 153, [179, 211	“ “ opinion of.....100
City Hospital, bill.....82, 142, 218	Commissioner of Deeds, election of, 22, 37, [88, 97, 152, 159, 179, 186, 191, 205, 278, 311
City Hall, rule and order to be suspen'd 50	Committe, special on printing..... 23
City Charter, revision of.....226, 227, 228	“ “ report of.....25, 26, 61
City, bonded debt of.....226	Committee to consult Citizens' committee on R. R. ordinances... 23.
City Banks, depositing money in..... 88	Committee on Parks, to improve Jones' Square 29.
City property, Com. annual report of...281	“ “ “ bill of..... 45
City Treasurer, annual report of.....283	Committees, standing..... 23
Clark, Paris G. order in favor of..... 75	Committee, special on Genesee Valley Canal R. R..... 42.
Clark, B. S. W., Canal Supt. com. from 77	“ “ to go to Albany... 42.
Cline, Jerome, license granted..... 88	Committee on opening and alteration of streets, report on Hair property..... 31
Clancy, David, tax lien released...129, 130	Committee on opening and alteration of streets, rep't on exten'n of Center St. 182
Clarissa St., petition for sewer in..... 210	Commercial Bank, in regard to...25, 30, 37
Clinton St., sprinkling of, local improvement ass't of.....235	“ “ com. from 37
“ “ confirmed .....277	Colbert, John bill.....117
Clark, B. G., communication from...262	Corbin, Joseph bill..... 24, 55, 183, 210
Clinton St., sprinkling of.....263	Costich, P. A. appt of.....37, 225
“ “ final ord.....277	“ “ qualified.....230
Clerk, City, com. from.....11, 28, 115	
“ “ to make detailed statements of each fund..... 14	
“ “ draw order..... 18	
“ “ to publish ordinances, &c., in City Directory..... 29	

Covill, Darius L. election of.....	152, 186
Committee, poor, bids of.....	55
" " resolution in regard to coal be reconsidered.	62
" " to receive bids for supplies.....	72
" " added to.....	98
" " report of in regard to bids received.....	102
Coup, W. C license granted.....	56
Commissioners on opening Tracy Park, bill of.....	64
Committee, Finance, to report in matter of State Line R. R. stock.....	65
Committee, Finance, to arrange for collection of fines.....	97
" " to employ a person to collect licenses.....	116 [119]
" " to employ a person to examine City Treasurer's books.....	218 [250]
" " to devise method to meet debt of City.....	226
" " com. from.....	50
Committee, Lamp, to employ inspector	69
" " to place lamps in Phelps and Lake Ave's.....	236
" " report in regard to Naptha lamps on South Ave.....	192
" " to receive proposals for lighting, cleaning, &c.....	192
" " to transfer lamps.....	217
" " to substitute Kercsene for Gas.....	226
Cork, A. H. bill, 71, 90, 98, 142, 154, 164, [184, 218, 240, 249, 254	
Connors, Wm. bill,....	71, 90, 117, 218, 267
Common Council, lunch for, to be discontinued.....	111
Committee, City Property, to rent rooms in Front St. building.....	71
Committee, City Prop'y, to confer with Supervisors on sale of land.....	153
Committee on Penal Ordinances, to report ordinances illegal and void....	88
Committee, Lamp, special, to rearrange lamps.....	80
" " to report.....	89
" " to remove Naptha lamps from 11th W'd	98
" " bills referred to.....	131
" " to rearrange lamps on Franklin St.....	160
" " to place Boulevard lamps on East Main and Hudson St's.....	160
" " to place gas lamps on E. Maple st.....	179
" " report of in regard to proposals.....	207
Committee on Central Union Telegraph Co.....	97
Committee on petition of Bentley, Meyer & Southwick.....	89
Cogswall, W. F. opinion of.....	74
" " bill.....	196
" " order in favor of.....	246
Committee on Water Works, report of water pipe in streets.....	73
Cole St., petition for water pipe in.....	90
Costar St., petition to lay water mains in	117
Committee on investigating State Line R. R. bonds.....	112
Com. on investigat'g S. L. R. R. bonds, order in favor of.....	140
Committee, Finance of 1875, peti'n of.....	131
Committee, Citizens on elevated tracks, report of.....	154, 155, 156
Commissioner Mt. Hope, annual rep't.....	282
Committee on dispos'n telegh poles.....	141
" " report of com. on.....	145
Consumers' Ice Co., bill.....	132, 196
Committee, special, to invest'ie affairs of Water and Fire Board.....	139
Commissioners on opening a street through the Hair property, report of.....	147
Cook, Cyrus T. election of.....	152
Cowley, E. A. petition of.....	154
Cooke, M. W. com. from.....	154, 159
" " in regard to the Hair property.....	170
Cogswell, Wm. W. app't of.....	179, 186
Conkey Ave., Lamp Com. to place lamps in.....	179
Court House Square, pet'n for fountain	44
Committee on Charter Amend's, to employ assistance to revise City Charter	182
Connolly, Geo. W. bill.....	218
Court St., land between Genesee river and Aqueduct, water right granted.....	250
Coughlin, Wm. bill of.....	254
Coney, D.....	267
Contingent Expense, Com. annual rep't	282
Committee on Sewers, to introduce ord. for Lake Ave. outlet sewer.....	47
Croft, Wm. petition of.....	16
Crane, G. S. market license.....	39
Crouch, Frank P. tax lien assigned....	39
" " " bill.....	229
Crowell, Walter S. petition of.....	90
" " " granted.....	103
Craig, Peter order in favor of.....	182
" " veto of.....	185
Craig, Oscar petition of.....	240
Croston, Frank tax canceled.....	248
Cutler, J. certificate of.....	9
Cummings, Sarah bill.....	24
Culver, M. bill.....	56
Curran, P. H. bill.....	82, 142
Curtiss, Stillson B. app't of.....	141
Curran, John license granted.....	160, 218
Cutting & Cooney, bill.....	164, 183
Curran & Goler, bill.....	218
Cummings, Michal cancellation of tax	249
Curtice Bro's, petitions of.....	253, 254
Cypress St., petition for gas mains in.....	211

D.

Danhowe, David app't of.....	22
Davis, E. H. bill of.....	24
Daniels, Eli H. petition of.....	72, 82
" " granted.....	211
" " ass't con.....	278
Davis St., sewer in, first ord. for.....	95
" " final order for.....	110
" " local imp. ass't of.....	215
Day, James bill.....	113, 154, 196
Davies & Parmelee, bill.....	164
Davenport, Cha's license granted.....	182
Daniels, H. C., com from.....	262
Desmond, John application of.....	37
DeLand, C. J. bill.....	30
DeLea, W. A. appt. of.....	37
" " qualified.....	47
Democrat & Chronicle, proposals from	[55, 61
DeVitt, Hugh petition of, granted.....	56
Deiningner, T. bill.....	71, 112
Deavenport, C. A. tax cancelled.....	237
Dent, Mrs. E. petition of.....	249, 253
Devereaux, Nicholas release of lien.....	278
Directory, City Clerk to publish ordi-	nances in, &c..... 29
Directors State Line R. R., election of.	183
Doyle, James petition of.....	9
" " granted.....	28
Doane, E. M. bill of.....	24
Doyle, John order in favor of.....	29
Dowl, Geo. petition of.....	84
" " com. from.....	118
" " suit against city.....	192
" " bill of, referred to Law	[Committee.....217
Dowling, P. J. petition of Com. on es-	tate of.....252
Dowling, Mary tax cancelled.....	273
Draper street, pipe sewer in.....	12
" " rst ordinance.....	12
" " final ordinance.....	20
" " local imp., ass't of.....	78
" " confirmat'n of asst. roll.	153
Draper, Geo. P. petition of.....	55
" " referred.....	57
" " tax canceled.....	76
Drees, Aug. petition of.....	196
" " granted.....	240
Drew, Allis & Co., order for directories	97
Drayton st. petition for sidewalks on.	131
" " rst ord. for plank walk on.	152
" " final " " "	158
" " assessment confirmed.....	278
" " local imp't, assessment of.....	216
Dunhane, J. W., appointment of.....	22
" " qualified.....	28
Duerr, C. petition of.....	154
" " granted.....	167
Duffield, H. bill of.....	180
Dunn, Bernard petition of.....	229
Dunn, Edward order in favor of.....	229
Dutch Reformed Church, pet. granted,	258
Duffy Cider Co., petition of.....	278
" " adopted.....	311
" " petition for water mains.	279
Dwight, T. W. assessment of.....	97
Dyer, Wm. contract awarded to.....	208

E.

East Main st., petition for ordinance for	bridge over Central R. R..... 15
Eagan, Patrick bill.....	90, 154, 164
Eagle Oderless Excav'tg Co., bill.....	117, 249
Earley, Joseph, petition granted.....	153
Earl, D. bill.....	164
Eastman, Joseph A. release of tax lien,	[180, 205, 218, 236
East, Geo. W. app't of.....	191
East ave. sprinkling of, local improve-	ment, assessment of, 233; con. of....277
East ave. sprinkling of, local improve-	ment, assessment of, 234; con. of....277
East ave. sprinkling of, local improve-	ment, assessment of, 235; con. of....277
East and West Main st. sprink'g, local	improvem't ass't of, 235; confirm'n of...277
East Main and Goodman sts. claim of	damages.....251, 265, 272
East ave. sprinkling of.....	263
" " final ordinance.....	277
East and West Main sts. sprinkling of, 263	" " " final ordin'ce, 277
Eberle, Frank petition of.....	117
Egerton, H. H. bill.....	117
Edmonds, Wm. E. app't of.....	159, 186
Ehrhart & Co., license granted.....	89
" " bill of.....	90, 164
Eighth ward outlet sewer, rept. of com.	on.....14, 15
Ellsworth, H. M. petition of.....	16
" " granted.....	16
Elbs, Geo. bill.....	30
Ellwanger & Barry, payment of.....	69
Elias, Francis, petition of.....	118
Eleventh ward, division of.....	142
Elev'd tracks, rp't of Com. on, 154, 155, 156	" " special meeting on.....161
" " remonstrance against...161	" " opinion on.....161
" " rp't of special Com. on...193	" " Ald. FitzSimons...194
" " com. from chairman of	Committee on.....214
" " com. from chairman of	Committee on.....225
" " citizens' Com. and Com.	of aldermen to con-
" " tinue negotiations, 225, 238	
Emerich, E. bill.....	31, 183
Engert & Co. bill.....	24, 71, 117, 218
Enos, B. F. bill.....	132, 196, 219, 254
" " order in favor of.....	179
Enos, F. M. bill of.....	281
Endees, Chas. petition of.....	132
Englehart, Edward app't of.....	179
Erdle, M. bill.....	82
Ernst, Louis bill of.....	90
Erie st. petition for water pipe in.....	112
Erbacher, Frank, petition of, granted...117	" " order in favor of.....117
Erhardt & Co., order in favor of, 159, 229	[267
Ernst, Lorenzo petition of.....	267
Ettenheimer, E. S. petition of.....	72
" " granted... 84	

Eusbaum, Aaron petition of311
 " " " adopted.....311
 Evergreen st. pet. for sidewalk in.... 14
 " " plk. walk on, 1st ord. for, 35
 " " " final order. 50
 " " " local imp. assm't, 87
 " " " confirm'n assm't roll....153
 Eeverenden, M. petition of..... 16
 " " " granted..... 28
 Evans, Chas. D. appointment of..... 22
 " " " qualified..... 28
 Everest, C. M. petition of.....90, 131
 " " " granted.....103
 Executive Board, to change name of
 North st.....236
 Executive Board, com. from, 11, 33, 47, 62
 [87, 109, 135, 147, 174
 [188, 221, 257, 258, 274
 " " to lay water pipes in... 25
 " " to sell Allen st. br'dg, 29
 " " to repair sewer..... 56
 " " to repair roadway.... 83
 " " to grade Tonawanda
 street..... 98
 " " pay roll of, 103, 121, 122
 [147, 243
 " " requested to draw
 order.....132
 " " in regard to extension
 of Lake ave. sewer, 135
 " " report on cleaning bed
 of river.....176
 " " to build sidewalk on
 North ave.....179
 " " not to employ persons
 living outside of the
 city.....226
 " " to remove obstacles
 Saxton street.....252
 " " to repair walks in Uni-
 versity ave.....252
 Exchange st. petition for sewer in...131
 " " 1st ordinance for.....190
 " " final ord. postponed.....204
 " " remonstrance against...224
 " " amended.....231
 " " final ordinance for.....246
 Excise Com. report of, 11, 33, 63, 86, 93,
 [115, 146, 177, 214, 230, 250
 " in regard to office..... 55
 " salaries to be paid monthly 61
 " com. from in regard to col-
 lection of license.....129
 " to collect licenses.....129
 " com. from in regard to sal'y, 145
 " report on salary of.....167
 Express Printing Co., bill..... 24
 " " " contract awarded
 at \$2,200 per
 annum..... 26
 " " " bill.....72, 90, 164
 F.
 Favor st. sewer, 1st ord. for..... 12
 " " final ordinance for..... 20
 " " local improvement.....178
 " " pet. for gas mains in.....112

Farbar, Margaret petition of..... 71
 Falls, Wm. S. bill..... 72
 Fahy, P. bill.....90, 254
 Farbar, Geo. J. appt. of.....239
 Fee Bros., petition of..... 55
 Fee, James & Bro., bill.....240, 249
 Fee, Owen and John, release of lien...278
 Fisher, Chas. H. com. from.....15, 56
 Fichtner, D. E. bill of.....30, 90, 112
 " " " suit of.....211
 " " " order in favor of.....211
 Finance budget, 32, 45, 59, 76, 84, 91, 101
 [114, 120, 132, 145, 157,
 [166, 184, 197, 212, 224
 [229, 241, 249, 256, 273
 Fisher, Harris petition of..... 71
 " " " granted..... 76
 Fire and Water Board, to lay mains in
 Orchard st..... 82
 Fitzhugh st. (South), pet. for imp't of.. 90
 " " " 1st ordinance for...109
 " " " final.....116
 " " " local imp. ass't of...191
 " " " con. of ass'mt roll..226
 FitzSimons, M. H. Ald. petition of... 91
 " " " protest of...134
 Fitch, A. N. election of..... 152, 186
 Finch, C. H. bill.....154
 FitzSimons, Ald. employ counsel in
 Shedd suit.....203
 Fisher, John bill.....218
 Finance Com. of 1875, action against...131
 " " " petition of.....131
 " " " report of Law
 Com. on...145
 Fleckenstein, Valentine, appt. of..... 27
 " " " qualified..... 28
 Flour City Bank, Mayor enter into con-
 tract with..... 30, 37, 97
 Fleckenstein Bros. bill.....90, 131, 240
 Fleckenstein, Geo. election of.....183
 Foechner & Maier, bill.....90, 267
 Foley, John H. appt. of.....191
 " " " qualified.....203
 Forrest, Francis, license granted.....192
 Frost, E. A. bill.....24, 99, 183
 Franklin square, pet. for imp't of..... 71
 " " " 1st ordinance for... 95
 Friday, Fred W. petition of..... 81
 Frison, Martin appt. of..... 88
 " " " qualified..... 94
 Frick, J. H. bill.....98, 229
 Franklin square flag wlk, final ord. for 111
 " " " fountain in.....111
 Front st. pet. of property owners on...160
 Fromm, Caspar bill.....164
 Front st. sprinkling of, local improve-
 ment assm't of, 235; confirm'tion of..277
 Front st. sprinkling of.....262
 " " " final ordinance.....276
 Fuller, Wm. election of..... 3
 " " " qualified..... 19
 Fullam, Alexina petition of..... 24
 " " " granted... 32

G.

Gardiner, Addison, tax released.....	57
Gas Companies, to light the city for \$22.00 per lamp.....	80
Gallagher, C. D. bill.....	117
Gales & Co., meat.....	131
Gardere, Edwin appointment of.....	205
Gay & Co., to be awarded contract.....	208
“ R, R., contract awarded to.....	208
“ “ contract of.....	212
“ “ bill of.....	228, 249, 281
Galusha, Chas. C. tax lien released.....	[237, 238]
Gally, Wm. A. petition of.....	218
Genesee Valley Canal, granting petition of, for a railway.....	9
Genesee Valley Canal, granting petition of, for a railway, resolution.....	278
Genesee Valley Canal, granting petition of, for a railway, reconsidered.....	279
Genesee Valley Canal, relating to closing of.....	15, 81
Genesee Valley Canal, petition for an outlet sewer in.....	196, 210, 229
Genesee Valley Canal, 1st ordinance for a sewer in.....	214
Genesee Valley Canal, remonstrance against sewer in.....	218, 231
Genesee Valley Canal, ord. amended for sewer in.....	225, 231
Gerling Bros., bill....	71, 98, 240, 249, 267
George, H. E., petition, granted.....	76
Genesee st. pet. for water mains in....	83
“ “ “ “ granted.....	98
Genesee river, East side, outlet swr. for 130 “ “ pet. for bridge over, at the end of Center st.....	131
“ “ petition to clean bed of.....	160
“ “ ord. for foot bridge over.....	246
George, H. E., petition of.....	160
“ “ remonstrance agst. pet'n.....	160
Geiger, John A., license granted.....	179
Gibbons, Montgomery, appt. of.....	97
“ “ qualified.....	109
Gilbert, Brady & Co., bill.....	142, 249
Gillette, S. H. appointment of.....	191
“ “ qualified.....	203
Gleason, Ann petition of.....	8
“ “ order in favor of.....	57
Glasser, Geo. M. bill.....	30
Glasser, F. C. bill.....	55
Glenwood avenue, pet. for water mains in.....	129
Glevin, Thomas petition of.....	131
Goodwin, Henry petition of.....	14
“ “ granted.....	28
Goodman st. to be closed.....	16, 56
“ “ property owners to be taxed for water in.....	64
“ “ ordinance for closing of.....	21
“ “ to be altered.....	71
“ “ representatives to procure legislation to close st.....	226
“ “ pet'n for water mains in.....	278
Goodale & Pells, bill.....	71, 164
“ “ Stiles, “.....	267

Gould, L. M. bill.....	71
Goetzman & Son, bill.....	43, 71, 164
Goodwin, Mrs. Josephine, petition of..	73
Goodman st. op'ng and ext'n of, 1st ord.	87
“ “ “ “ “ postp'd, [96, 110, 116]	
“ “ “ “ “ lost.....	128
Goetz, Chas. petition of.....	90
“ “ “ “ granted.....	103
Goodale & Stiles, bill.....	89, 113, 218
Goodwin, Josephine, remis'n of int'st..	103
Goodrich, T. heirs of, tax canceled....	112
Goggin & Knowles, bill.....	131
Goodman st. opening a street from....	131
“ “ “ “ com'rs to be appointed.....	226
“ “ water mains from Harvard st. to Monroe ave.....	249
Gosnell, James resignation of.....	152
Gosnell, Thos. election of.....	152
Groh, John bill.....	9, 55, 112, 142
Griffin, P. H. qualified.....	19
Greenagle, M. petition granted.....	28
Griffin, May pet. rep't adversely ag'st...	57
Griffin, J. bill.....	164

H.

Hair property, opening a st. through...	16
“ “ first ord. op'ng st. thro'g, [21, 36]	
“ “ final “ “ “ through	48
“ “ ass't con. “ “ “ “	278
“ “ rep't com. on op'g st. thro',	31
“ “ alleg'ns for “ “	36
“ “ rep't com'rs on “ “	147
“ “ communication from M. W. Cooke on opening st. through.....	159
“ “ rep't of committee con- firmed on op'g st. thro',	179
“ “ local imp. ass't of.....	216
Hart, John petition of.....	16
Hart ave. local imp't assessment.....	19
Hackstaff, N. T. bill.....	183, 196
Hapgood, C. G. appointment of.....	22
“ “ qualified.....	28
Hax, Gertrude petition of.....	23
Hanford, W. I. bill of, 24, 55, 164, 183, 240 [249, 254]	
Hall, W. S. petition granted.....	28
Hahn, John bill.....	30, 112, 164, 210, 254
Hahn, John B. bill.....	30, 43, 82, 98, 154
Hackmen, pet'n of to abolish license..	90
Hart, John contract awarded to.....	102
“ “ bill, 112, 117, 131, 164, 196, 254	
Hart, Ald. President pro tem.....	112
Hartman, Mary Ann rep't Law Com...	46
“ “ petition of.....	113
Hagen & Meyers, bill.....	117
Hamlin, Lovell petition of.....	154
Hanley, Lois H petition of.....	154, 164
“ “ “ “ granted.....	185
Haley, Daniel petition of.....	164
Hays, David appointment of.....	179, 191
Hair property, grading st. through, 1st ordinance for.....	179

Hair property, grading st. final ordinance, postponed.....	190	Howard, Jas. O. bill of.....	267
Hair property, final ord. grad'g st. thro',	204	Hoag, L. N. petition of.....	273
Hamilton & Matthews, bill.....	229	Howes, Jas. E. petition of.....	278
Hayward, Mr. use of lamps.....	238	Hufiland, J. F. qualified.....	11
Hayden, J. E. petition of.....	240	Hudson st. petition for sewer in.....	14
" report of.....	257, 278	" " remon. agst. ".....	56
Hanna, Nicholas petition of.....	254	" " petition for water mains in.....	24
Hayden, C. J. bill of.....	267	" " im'p of, 1st ordinance for.....	33
Hansel, Peter petition of.....	279	" " final ordinance for.....	50
Hastings st. to Lake ave. opening of street, referred.....	50	" " local impr't ass'm't post'nd.....	236
Helena st. plank walk on, 1st ord.....	11	" " " confirm'd.....	277
" " final ord. for plank walk on.....	21	Hunt, John petition granted.....	28
" " local imp. ass't. " ".....	95	Huhn, Bernard bill.....	43
" " confirmation assm't roll.....	153	Hunter st. sewer in, 1st ordinance for.....	35
" " pipe sewer in, 1st ordinance.....	11	Hurley, Thos. J. order in favor of.....	55
" " final ord. for pipe sewer in.....	21	" " com. from.....	77
" " local imp. ass't " ".....	139	Hudstrom, E. L. petition granted.....	76
" " petition for water pipe in.....	56	Huntington, H. F. com. from.....	82, 164
" " confirmation assessm't roll.....	226	Hudson, Richard app't of.....	88
Hefner, A. bill.....	30, 43, 82, 90, 113	" " qualified.....	94
Henry st. petition water mains in.....	31	Huntington, M. & E. bill, 89, 90, 112, 218	[267
Hedstrom, E. S. petition of.....	54	Hunter st petition for sewer in.....	98, 116
" " remonstrance against.....	56	" " final ord. " ".....	116
Heavey, M. bill.....	90, 164	" " remon. ag'st " ".....	116
Hedditch, H. bill.....	90, 210	" " " postponed.....	138
Hetzel, J. Henry, qualified.....	109	Huddy, Wm. petition of.....	111
Herzberger, C. bill.....	43, 131	" " granted.....	118
Heberling, Geo. appt. of.....	179	Hulett, A. J. appointment of.....	159
" " qualified.....	303	Hunt, John appointment of.....	205
Herzberger, Geo. resolutions on death of.....	192	Hutchinson, Mary E. petition of.....	229
Herald Printing Co., bill.....	196, 254	" " remission of taxes,	[252, 258
Henrietta ave. petition for lamps in.....	211	Hyde, E. W. petition of, granted.....	43
" " naptha lamps.....	238	I.	
Health Com'rs, annual report of.....	283	Irwin, F. J. election of.....	3
Hirsh, Adolph app't of.....	205	" " qualified.....	19
" " qualified.....	214	" " bill.....	31
Hilburt, Geo. petition of.....	219	Industrial School, bill.....	142
Hoelfer st. petition for sewer in.....	16	Inspectors of Election.....	11
Home of Industry, bill of.....	30, 55, 82, 117	" " election of.....	142, 152
" " tax canceled.....	[142, 218, 240	" " qualified.....	158
Hotchkin Bros., bill.....	237	" " pay of.....	180, 266
Howe, J. H. bill.....	71	" " election of.....	278
Holley, B. bill.....	71	J.	
Hogan, Mrs. petition of.....	72	Jayne, Asa S. petition of.....	273
Hotchkiss, Levi in regard to pet'n of.....	75	Jeffrey, S. A. bill.....	9
Home of the Friendless, bill.....	82, 131, 218	Jefford, C. A. order in favor of.....	139
Howe, Jacob Jr., election of.....	88	" " bill of.....	17, 43, 71, 89, 97, 117
" " qualified.....	94	" " [130, 153, 164, 183, 210, 228	
" " & Son, bill, 43, 90, 117, 131, 240		Jervis, Kasimir P. report adver. against.....	75
Hoffman & Maier,.....	98, 184, 254	Jennings Adelia E. petition of.....	90
Howe & Snyder, bill, 117, 130, 183, 196, 253		" " granted.....	103
" " [254, 267		Jennings st., petition for lamps in.....	117, 267
Howe & Rogers, bill.....	132	Jeffords, C. A. contract to be canceled.....	160
Hope st. petition for water mains.....	44	Jefferies, John H. petition.....	183
Hollister, S. G. petition of.....	164, 185	Johnson, M. A. petition of.....	24
Hone, Francis appointment of.....	179, 186	" " granted.....	32
Hollister, Granger A. petition of.....	228	Jones Square, improving of.....	29
Hoelfer st. plank walk on, 1st ord. for.....	231	Jordan, Julius C. petition of.....	30
" " " final ord. for.....	246	" " referred.....	57
Holy Redeemer Church, clock for.....	252	" " tax canceled.....	113
" " bills for.....	257	Johnson, Samuel, suit of.....	42
Hoyt, Harriet petition of.....	254	Jones, G. H. petition granted.....	56
Home of Industry water rents, can'l of, 266			

Joy, Chas. Henry release of tax lien . . .	70
Joyce, P. bill	82, 113, 154, 210
Johnson, Wm. appt. of	88
" " qualified	94
Jones, Ezra, resolutions on death of . . .	98
Jordan, James bill	113
Jones st., in front of No. 5 School, im- provement of	135
Johnson, Jacob petition of	254
Jones ave. gas mains, petition of	266

K.

Kavanagh, John appointment of	97
" " qualified	109
Kavanagh, James bill of	164, 196, 228
Kasseal, A. bill	196
Kase & Brayer, to be awarded contract	208
Kelly, James H. resignation of	13
" " Com. from	77
Kesel, T. bill	30
Kelley, James W. bill	30
Kelly, Jos. petition of	71
Kerr, Mary E. tax lein	140
Kelly, Jas. H. and others, law suit of . .	131
" " rep't of Com. on	145
Kenyon, C. S. bill	154
Keyel estate, representatives to pay in .	157
Kegel, Nicholas, petition of	267
" " adopted	311
Kerrigan, James, petition of	279
King, James S. bill	23
King, Frederick damages of	34
Kirby, Thos. petition of	71
" " bill	117
King, John C. bill	218
Kimball, J. W. elected	52
Klem, B. estate, communication from Executors of	24
Klem, Alphonsus petition granted . . .	28
Klein, S. bill of	30, 98, 117
Kliendenst, Henry appt. of	179, 186
Klingler, Philip T.	254
Klusk, Simon, cancellation of tax . . .	273
Knickerbocker, C. petition of	211
Knapp, P. petition of	240
" " granted	258
Kondolph, H. bill	71, 113, 240
Kolb, John petition of	84
Krembal and Bach, Market license . . .	

L.

Langie, A. petition of	23
" " remonstrance against	23
" " petition granted	52
" " bill	71
Langham, John city against	34
Lake ave. to Hastings ave. postponed,	37
[97	
Lamb, Geo. W. elected	52
Lamps extinguished	54, 62
" " in regard to lighting of	69
" " extinguished to be rearra'd 80,	89
" " resolution recon'd, 96	
" " to be rearranged, indef. postponed 97	

" " bids received for care of	192
" " proposals for care of	208
" " naptha to be removed	208
Lake ave. outlet sewer, extension of, 1st ord. for	65
Lake ave. outlet sewer, exten. of indef. postponed	79
Lake ave. outlet sewer, exten. of, rep'l'd " " " " 1st ord. for	177
Lauer, J. C. petition of	71
Langworthy, H. H. bill	71
Lake av. outlet sewer, ex. of, 1st. ord. for	79
" " " final ord. laid on table 88	
" " " amended	96
" " " final ord. for	110
" " " postponed, 191, 204 [225, 247	
Lattimore, S. A. bill of	90
Langnecht, H. bill	43, 90, 154, 218
Laffin, Thos. petition of	90
Langie, Louis C. taxsale assigned	112
Langworthy, S. S. petition of	131
" " " granted	157
Lake ave. sewer right of way	131
Laney, J. & Co. bill	154
Lauer F. C. affidavit of	208
Lattimore, Free Lecture Association . .	251
Lamp Com. annual report of	281
Lamps, resolutions in regard to light- ing of	208
" " contract for lighting not to be assigned	209
" " substitution of	217
Lake ave. sprinkling, local asst. imp. .	233
" " " confirmed	277
" " " claims for remis- sion of taxes	248
" " " of	264
" " " final ordinance	276
" " " and State st. sprinkling of	262
Law Committee, annual report of	267
Legislature representatives, in to secure passage of act	9
Leavenworth, Eli petition granted . . .	9
Lehm, B. qualified	11
Leary & Co. bill	24, 55, 83, 98, 131, 153
" " " order in favor of	81, 160
" " " bill added to budget 91, 115	
Leat & Weitzel, bill	30
Lewis st., cha'ng name of	111, 112
" " " remonstrance against chan- ging name of 135	
Levi, Barnet petition of	112
" " " granted	118
Lewis st., name changed to S. Lewis st.	135
Lee, M. & Co. license granted	153
Leary, D. Com. from, in regard to wire cable	209
Leighton Bridge & Iron Works, Com. from	223
Lee, Wm. B. appointment of	236, 242

Lincoln st. petition for plank walk in... 9
 " " 1st ord. for " " 12
 " " final ord. postponed..... 21
 " " petition for plank walk, re-
 monstrance against 16
 " " final ord. for plank walk... 37
 " " petition for water pipe in... 73
 " " local imp. assessment of... 95
 " " con. assessment roll..... 153
 Lime st., petition for plank walk in... 11
 " " " " " laid on
 table.. 22
 " " " " " on N.
 side of 154
 " " 1st ord. for plank walk on N.
 side of 158
 " " final ord. " " on N.
 side of 178
 " " confirmation " " on N.
 side of 277
 " " local imp., assessment..... 224
 Lintz, Caspar petition..... 47
 " " " granted..... 56
 Lind st., petition for water mains in... 112
 Licenses, collection of..... 116, 119, 129
 " granting of..... 139
 Litchfield st., remon. against closing of 154
 Littlefield & Seifred, bill of..... 267
 Livingston st., water mains in 254
 Loeb, Daniel contract awarded to ... 102
 " " bill 112, 154, 196
 Lorimer st., petition W. B. on 111
 Lochte, Henry elected 52
 Lutchford & Co., licenses granted..... 141
 Ludlam, J. E. bill 164
 Lynn, Tho's S. petition of..... 154, 186
 Lynde, John app't of..... 179

M.

Mayor, address of..... 4, 5, 6, 7, 8
 " to enter into contract with Gas
 Companys..... 10, 11, 54
 Mayor to enter into contract with Gas
 Co's on the Cleveland system..... 22
 Mayor to enter into contract with Gas
 Co's at \$2.00 per "M."..... 10
 Mayor to postpone action in regard to
 to Railroads..... 22
 Mayor to enter into contract with Ger-
 man papers..... 26
 Mayor to enter into contract with
 Banks..... 37, 97
 Mayor to enter into contract with Coal
 Companys..... 55
 Mayor, com. from in regard to gas..... 10
 " " " " bond..... 17
 " " " " agreement of 77
 " " app't Excise Com..... 27
 " " " " Water Board and Fire
 Com..... 27
 " " call of..... 53, 69, 141
 " " to report lamps gone out.. 54
 " " to enter into contract with
 Democrat and Chronicle.. 61
 " " to execute leases..... 71
 Mayor to enforce ordinances..... 13
 " to make a proposition to light

the city at \$22 per lamp..... 80
 " veto of in regard to Engineer of
 Water Works..... 133
 " to issue licenses..... 139
 " to execute release in the Hair
 property..... 179
 " com. from in regard to election
 of Directors State Line R. R.,... 182
 " veto of fine of Peter Craig..... 185
 " in regard to contract of R. R. Gay
 to enter into contract with Na-
 tional Gas Co..... 217
 " to enforce city ordinances..... 225
 " to enter into contract with Na-
 tional Gas Co..... 225, 226
 " to sign deed..... 248
 " to execute quit claim deed in re-
 gard to water rights..... 250
 Mandry, Leonard petition of, granted.. 44
 Mansion St., petition for plank walk in 14
 " " plank walk first ord. for.. 35
 " " " final ord. for.. 66
 " " local improvement ass't.. 139
 " " con. ass't roll 225
 Mark St., petition for water pipe in... 16
 Marsh, Seth W. order in favor of..... 18
 " " claim of..... 240
 Marsh, E. E. petition of..... 23
 Maurer, Geo. L. bill..... 30, 196
 Masseth, F. X. bill..... 30, 142, 143, 254
 Mann, A. S. bill..... 30, 267
 Major, E. bill..... 31
 Markell, Col. Wm. L. order in favor of. 55
 Madden, Elizabeth bill..... 55
 Mandeville, Wesley petition of..... 72
 Madison Square, petition to remove
 fence around..... 72
 Mason, John bill of..... 90, 117
 Martin, A. H. bill..... 90, 210
 Mathews St., nuisance on..... 98
 Maple Place, petition for water pipe in 90
 Margrander, J. bill..... 90
 Main St. East, petition for gas mains in 90
 " " " petition for flag walks on 90
 " " " first ord. for... 95
 " " " final ord..... 110
 " " " assess't con..... 277
 " " " local imp. ass't of..... 216
 " " " local imp. ass't..... 96
 " " " confirmation ass't roll.. 153
 " " " petition for water pipe in 99
 imp. of, local imp. ass't
 of..... 236, 247
 Maple St., West N. Y. C. & H. R. R to
 repair walk over..... 98
 Markell, Wm. L. invitation from to at-
 tend on Decoration day..... 47
 Martin, Hiram W. petition of..... 142
 " " " granted..... 157
 Martin, G. W. & M. A. petition of.... 154
 Martindale John H. tax released. 181, 205
 " " " opinion in regard
 to election Directors State Line R. R. 183
 Mannel, Geo. bill..... 184
 Martindale, Henry app't of... 205, 206, 214
 Maier, Hugh petition of... 205, 214
 Martindale, H. S. qualified..... 223

Mathews, Mrs. Catherine E. petition of. 240
 " " " remission
 of taxes. 252, 258
 Mansuest, S. petition of. 267
 Mastin, Paul H. petition of. 279
 Masterson, Jno. J. election of. 311
 Mewherter, John app't of. 22
 " " qualified 28
 Meeker, A. app't of. 37
 " " qualified. 47
 Mensing & Stecker, bill, 55, 132, 154, 165,
 [240, 249
 Merriam, E. petition of. 56
 " granted. 76
 Messenger to procure a lunch for Coun-
 cil meeting, 81; bill. 210
 Medbury, Joseph petition of. 142
 " " granted. 157
 Meyer, Jas. petition of. 143
 " reported adversely against. 158
 Messenger, Richard refund of license
 fee. 180
 Merz, Geo. F. bill. 218, 240, 249, 254
 Meigs St., sprinkling of, local imp.
 " " ass't of, 234, con. 277
 " " sprinkling of. 264
 " " final ord. 276
 Michaels, Henry bill. 24
 Minges, J. bill. 71
 Minutes amended. 82
 Millington, S. A. bill. 90
 Miller, J. S. bill. 99
 Minges, Mr. petition of, reported ad-
 versely against. 157
 Mills, Gertrude refund of license fee . . 180
 Millichamp, S. W. bill. 196
 Mills, Wm. H. bill. 196
 Miles, Lewis and Fidelia tax lien rele'd 207
 Miller & Bills, bid of withdrawn. . . . 208
 Millen, Leonard J. app't of. 239
 " " qualified. 242
 Monroe Ave. petition for sprinkling of 14
 " " first ord. 36
 " " final ord. 49
 " " confirmed. 277
 " " local imp. ass't. 232
 Moser, Israel petition of. 24
 " granted. 24
 Morris, C. E. bill. 43, 83, 131, 165, 218
 Mount Hope Commis'r, balloting for. . 37
 " bill of. 117
 Montgomery, Thos. C. tax released, 67, 68,
 [180
 " " " bill of. 249
 Morris, A. S. bill. 90
 Moran, Wm. bill. 90, 218
 Moore, J. C. bill. 90, 229, 240, 249
 Moore & Cole, bill 98
 Morhart, F. bill. 113, 196
 Moderi, August bill. 113
 Moulson, Thos. petition of. 129
 Montgomery, John judgment against
 to be collected. 130
 " " sureties of pet'n of 154
 Morgan, Rob't petition of. 183
 Moulson, Geo. & Son petition of. . . . 190
 Moore, E. M. affidavit of 202

Mcroe County Savings Bank, tax lien
 released. 206, 237
 Monroe Ave., sprinkling of. 264
 Monroe Co. Sav's Bank, release of tax. . 181
 " " " " order in favor of 217
 Mortimer, Edward tax canceled. 248
 Morgan, Helen M. release of lien, 265, 266
 Morhoff, M. C. bill of. 267
 Moore St., petition for water mains. . . 279
 Municipal Court, judges of 16
 Mutschler Bro's, bill. 99, 131
 Mudge, A. W. & Co. bill. 164
 Murray & Fulton, petition of. 164
 " " granted 185
 Munger St., gas mains in. 179
 Municipal Gas Light Co., com. from. . . 279
 " " resolution. 280
 McCartney, James G. petition of. . . . 112
 McCabe, Owen, petition of. 154
 " " petition granted. 167
 McDonald, Martin license granted. . . . 141
 McDonald, John license granted 217
 McDonald, Arthur, app't of. 225
 " " qualified 230
 McDonald, Joseph petition of. 267
 McDonald Ave., petition for water
 mains in. 44
 McFarlin, B. bill. 56
 " " order in favor of. 132
 McGorray, John resignation of. 22
 McGarrey, Burrit. 236
 McGee, James petition of. 240
 McKelvey, Dr. election of. 3
 " " qualified. 28
 McKindley, J. W. bill. 142
 McKay, David election of. 191
 " " qualified 203
 McLean, Alex bill, 56, 72, 90, 99, 114, 118,
 [184, 219, 249
 McLean, Hector tax sale assigned to. . 225
 McNaughton, D. com. from. 84
 McNalty, app't of. 97
 McPherson, Duncaan petition of. . . . 56
 McPhail, E. J. app't of. 179
 McSweeney, E., bill. 249

N.

National Gas Light Co., bill, 17, 23, 43, 71,
 [130, 142, 153, 164, 210, 228, 267
 National Gas Light Co., order in favor
 " " " " of. 139, 153
 " " " " contract to be
 discontinued. 209
 " " " " reconsidered. 236
 " " " " to enter into
 contract. 117
 " " " " com. from. 225
 " " " " contract of. 241
 Naptha lamps to be removed and gas
 substituted. 209
 Nausbaum, Aaron petition of. 165
 Naptha lamps to be substituted for
 Kerosene. 209, 217, 236
 Nazareth Convent, water rents, can-
 cellation of. 266
 National party, invitation from. 77

New York C. & H. R. R. R., com. from City Attorney on.....	27
New York C. & H. R. R. R. to repair walk over Maple St.....	98
New York State Press Association, use of Hall granted to.....	31, 33, 44
News-boys and Boot-blacks, ordinance in relation to.....	111
“ “ “ “ postponed.....	116
“ “ “ “ indefin'y post'd.....	128
N. Y. C. & H. R. R. R. to station flagman at crossing.....	111
“ “ “ “ to repair walk on King St.....	153
“ “ “ “ to station men on streets.....	248
Ness, Louis petition of.....	254
New York State Homeopathic Medical Society, petition of.....	111
New York St., petition for gas lamps in 196	
N. Y. C. & H. R. R. R., bridge over Main St., Clerk to notify.....	231
N. Y. C. & H. R. R. R., report of Law Committee on.....	250
Ninth W'd, petition to abate nuisance in	129
Niven, Wm. H. bill.....	229
North St. Paul st. sewer, in regarding erron's asst. of	17
“ “ “ petition for ex. of gas mains.....	210, 236
North ave., sprinkling of.....	
“ “ petition of.....	44
“ “ 1st. ord. for.....	48
“ “ final ord.....	66
“ “ con. of assessment roll 231, 277	
Nolte, Adolph bill.....	154
North st., changing name of.....	236, 247, 251
“ “ “ remonstrance against.....	251
North St. Paul st., petition for imp. of	240
“ “ “ imp. of, 1st. ord. for	251
“ “ “ final “ for	265
North ave., sprinkling of.....	263
“ “ petition for sewer.....	283
“ “ ord. for petition for sewer	311
North ave. to North st., opening of a street from, 1st ord. for.....	47
Nusslin, Dr. election of.....	3
“ “ not naturalized.....	9
Nyerbuis, G. J. petition of.....	71
“ “ granted.....	76
O.	
Oak st., petition for water mains in	24
Oak st., imp., com. in regard to.....	230, 242
Oetzal, John, bill.....	30, 112
Ohare, Dr. election of.....	3
“ “ qualified.....	28
Okane Bros., bill.....	55, 90, 240, 249
Okief, Mrs. Mary claim of.....	43
“ “ rep'ted adver. against	211
Olean st. water pipe in.....	90
Old 13th, invitation of.....	121
Opal, Geo. bill.....	30, 90
“ “ order in favor of.....	250
O'Rourke, John, bill.....	71, 117, 164, 228, 267
Organization of new Board.....	3

Orange st. sewer, in local imp., asst. of	20
“ “ con. of assessment roll.....	153
Orchard st., pet'n to lay wat'r mains in	73
“ “ to have water mains in.....	82
Orange st. plank walk on, 1st ord. for	128
“ “ final ord. for plank walk.....	138
“ “ petition for plank walk on.....	131
O'Rielly, B. bill.....	90, 131, 210
Ordinances, final.....	20, 21, 65, 66
Ordinances, penal.....	21, 67, 79, 111
“ “ section.....	17
“ “ suspended.....	218
“ “ in relation to street cars, suspended.....	247
“ “ in relation to R. R.....	50
“ “ first.....	21
Oswold, O. bill.....	55
Otto, Joseph A. bills.....	98, 218
Otis & Gorsline, bill.....	154
Otis st., petition for plank walk.....	254
“ “ ord. for plank walk.....	311
Outerbridge, Thos. B. election of.....	152, 186
Overseer of the Poor, monthly report of	30
[82, 117, 142, 164, 249, 254	
“ “ Poor to obtain consent before rev'ing persons to hospital, &c.....	72
“ “ Poor, to transfer persons to poor house.....	72
Oviatt, S. H. bill.....	229
“ “ “.....	154, 164
Owen, Calvin W. tax lien release.....	39, 41
“ “ “ petition of.....	72
“ “ “ granted.....	84

P.

Paine, S. W. permission granted.....	9
Palmer & Son, to remove their house..	16
Parsons, Mrs. petition of.....	31
“ “ granted.....	56
Park av. sprinkling of, 1st. ord. for.....	35
“ “ final ord for sprinkling of.....	49
“ “ local imp., assessment.....	232
“ “ confirmed.....	277
Packard, Lorane Rev.....	88
“ “ “ order in favor of.....	111
Palmer, E. H. appointment of.....	97
“ “ qualified.....	109
Padeira, Dr. certificate.....	113
Park ave., plank walk, con. of asst. roll	153
Park place, petition for plank walk in	164
“ “ 1st. ord. for “.....	190
“ “ final ord.....	204
Parnell, C. S. Com. on reception of, granted use of City Hall.....	226
Park ave., sprinkling of.....	262
“ “ final ord.....	275
Parker, Mary petition of.....	267
“ “ adopted.....	311
Park Com., annual report of.....	279
Peacock, O. H. bill.....	24, 229
Perkins, J. B. bill.....	24, 228, 281
“ “ to collect judgment.....	130
“ “ to be retained to defend suit.....	152
“ “ Com. from, in case of Raines, V. S. City.....	230

Rochester & State Line R.R. in regard to [sel'ng of [stock... 91
 " " " " com. in re- [regard to [bonds of 112
 " Free Academy students, use of [City Hall granted to... 71
 " Orphan Asylum, bill. .82, 142, 218
 Romeyn st. petition for gas mains in... 83
 Rosner, Chas. petition granted... 192
 Rochester Mannerchor, invitation of... 88
 Roades, Wm. petition of... 90
 " " " granted... 103
 Rochester colored cornet band, inv't of, 94
 Rootmary, Henry petition of... 131
 Rowe st. opening and extension of... 116
 " " " ind. post. 128
 Rotman, Henry petition of... 141
 Robson, John E. app't of... 179, 186
 Rochester and Lake Ontario R.R., com. in regard to... 190
 Rochester City & Brighton R.R., pet. of 44
 " " " " petition [grant'd 45
 " " " " pet. of. 211
 " " " " petition [grant'd. 211
 " " " " remon. [against. 266
 Rowell, Chas. & Son, petition of... 228
 Rochester Electric Light Co. to lay conductors and wires... 251
 Rothgangle, J. H. release of lien... 265
 Roby, S. B. bill of... 267
 Rosenthal, G. petition of... 273
 Robbins, Fanny A. cancellation tax of. 273
 " " release of lien... 278
 Rochester Steam Heating and Power Co., communication from... 43
 Rochester Steam Heating and Power Co., to lay pipes... 52
 Rochester German Ins. Co., bill... 44
 Rucker, Jesse refund of license fee... 180
 Rumsey, Judge decision of in water works suit... 197

S.

Saile, Peter petition granted... 9
 Salaries, Attorney's opinion on... 24
 " report of Committee on... 27
 Sauer, Henry G. petition of... 31
 " " granted... 56
 Sanford st. petition for water pipe in... 90
 Saratoga ave. water pipe in... 153
 Savannah st. " " 153
 Sargent & Greenleaf, bill... 196
 Schmitt, Dr. election of... 3
 Schutte, Joseph bill of, 9, 30, 55, 83, 90, 112 [131, 154, 164, 196, 218, 240 [249, 254
 Scofield, Geo. bill. .55, 83, 98, 117, 142, 164 [184, 218
 Schwingler, John bill... 55, 117, 240
 Schubert, Sebastian tax canceled... 57
 Scrantom & Wetmore, bill... 71, 90, 98, 98

Scrantom st. petition for water pipe in. 72
 Schultz, Mr. petition of... 72
 Schmidt, Michael rept, adversely agst. 75
 Schomer, Mrs. Susanna petition of... 90
 School house No. 5, flag wk. in front of. 109
 " " 1st ord. for flag walk [in front of... 152
 " " " final ord. for flag [walk in front of. 158
 " " " local imp. assm't. 190
 Schwartz, game constable, petition to pay salary to... 111
 Schwartz, game constable, reported adversely against... 114
 Schrick, A. bill... 112
 Schaeffer Bros., bill... 112
 Scrantom st. water mains in... 117
 Schlegal st. naming of... 121
 Schiffner, A. bill... 164
 Scott, A. D. petition of... 179
 " " " granted... 192
 Schiff, L. petition of... 229
 " " granted... 240
 Scheard, P. & H. bill... 249
 Scofield & Darling, bill... 249
 Scrantom & Wetmore, bill of... 267
 Schaffer, J. F. bill of... 281
 Selden, H. R. petition of... 16
 " " tax canceled... 166
 Seward, W. R. communication from... 17
 Seaman, S. petition of... 30
 " " tax canceled... 57
 Senate, rep. in, to oppose charter amendments... 41
 Senate, rep. in, to procure necessary legislation to close Goodman st... 226
 Selye, Lewis petition of... 73
 " " report referred... 119
 Sexsmith, Simon order in favor of... 75
 Seibfoitz, Fred'k remonstrance of... 90
 Seel, J. W. petition of... 118
 Seeley, J. J. refund of license fee... 180
 Seymour, A. D. communication from... 230
 Sheehan, Dr. election of... 3
 " " not naturalized... 9
 Shea, Patrick permission granted... 9
 Sherman st. pet. for bd'ge over creek in " 1st ord. " " 65
 " " bd'ge over creek indf. post. 79
 " " water pipes in... 56
 Shedd, J. H. report on bill of... 25
 " " order in favor of... 81
 " " against... 84
 " " rep'td adversely...
 " " vote on bill of... 90
 " " mandamus of... 201, 246
 Shera, W. M. tax lien released... 40
 Sherman st. barn on, remonstrance agst. 90
 Shipman, A. H. petition of... 99
 Sherlock & Sloan, bill... 113, 218
 Shamrock st. pet. for cleaning sewer in. 131
 Sheridan, Peter, City Clerk pro tem... 228
 " " bill... 229
 Sheffar, Stanley E. appointment of... 236
 " " qualified... 242
 Sibley Park, gas mains in... 139
 Simpson, Elizabeth tax remitted... 226

Sisters of Mercy, water rents, can't'n of. 266
 Siner, Peter G. elected. 52
 Smith, Vincent M. appointment of 27
 " " " qualified. 28
 Smith, Perkins & Co., bill, 43, 55, 71, 82, 90
 [98, 117, 154; 184, 210, 240, 249
 Smith, Richard agst. Finance Com. . . . 131
 Smith, John P. bill. 164, 210
 Smith st. pet'n for water mains in. . . . 165
 Smith, Luman petition of. 165
 Snyder, John B. bill 131, 218
 Snow, John bill 229
 South ave. petition to change lamps. . . 179
 South Washington st. pet. for sprinkl'g
 [267, 275
 Spring st. petition for sprinkling of. . . 14
 " 1st ord. for " 36
 " final ord. " 49
 " " confirmed. 277
 " local improvement assessm't. 232
 " sprinkling of. 264
 " final ordinance 275
 Spang, Peter petition of. 90
 " " granted. 192
 Spencer st. petition for water mains in. 118
 Spencer & Stalker, bill. 218, 254
 Stillwell, F. W. petition of 16
 " " granted. 28
 Stump, C. H. bill. 24, 112
 Stillwell, Chas. H. res. in regard to. . . 43
 Strub, Catherine petition of. 55
 Stevenson, Thos. bill 82, 98
 Streets, list of water in. 73
 " telegraph poles in 74
 " altering names of. 121, 135
 " water pipes in. 132
 State Line R. R. Special Com. rep't of. 76
 [84
 " " " " receiv-
 ing stock
 of 82
 " " " in regard to 84, 91
 " " " Aldermen accused of re-
 ceiving money. 97
 " " " opinion of J. L. Angle &
 J. C. Cochrane on 100
 " " " notice election of direc. 179
 " " " get opinion. 182
 " " " election of directors of. 182
 St. Mary's Hospital, bill. 82, 142, 218
 St. Joseph's Orph. Asy., bill. 82, 142, 211
 St. Patrick's Orph. Asy., bill. 90, 142, 218
 " " " " use of city
 Hall gran. to 252
 St. Mary's Orph. Asy., bill. 90, 142, 218
 State st. and Lake ave. sprinkling of. .
 " " " local imp. ass't. 233
 " " " confirmation 277
 Strong, Eliza B. petition of. 196
 Strong tract lots. 23, 30
 " " tax canceled. 97
 Streb, Catherine petition of 113
 Stevenson, J. R. resignation of. 152
 Stroh, Catherine order in favor of. . . . 159
 Streets, naptha lamps to be substituted
 for kerosene in. 209
 Strong, Eliza B. tax remitted 212

Stephany, Joseph petition of 228
 State and Exchange st., sprinkling of,
 " local imp. ass't of 234
 " " st. confirmation. 277
 Steele, Frank-C, appointment of. 236
 State Line R. R., com. from directors of
 in regard to withdrawing suit, 190, 192
 [204
 State Line R.R. substitute of Ald. Otis. 204
 State st. sprinkling of. 262
 " " final ordinance. 276
 Stone quarries, pet'n of tax payers. . . . 267
 Stuart, S. B. & Co., res. in regard to. . . 50
 Surveyor, city to prepare ord. for outlet
 sewer in 8th ward 15
 " " " ord for opening
 a street 77
 " " " ord. for outlet
 sewer on east side
 Genesee River 130
 " " to be addee to com. 153
 " " com. from in regard to L.
 ave. outlet sewer 177
 " " bring in ord. for extension
 Center st 182
 " " to prepare sprinkling ord. 262
 Suter, Jacob bill 143
 Sullivan st. petition for plank walk on. 184
 Sunday Herald bill. 254
 Sullivan, Jno. bill of. 267
 Sullivan, James tax canceled. 273
 Support & relief of poor, annual rep't of 282
 Summerhays, W. bill 143
 Surveyor's office, clerks in, salaries of. . 55

T.

Talman, J. bill 24, 90, 142, 211
 Tax sale not to be published 24
 Taylor, Porter W. appointment of. . . . 27
 " " qualified 28
 Tax levy. 42, 51, 53
 " adopted 54, 59
 Tappan st. petition for gas mains in . . 113
 Teamsters, petition of. 196, 229
 Thompson, Geo. H. election of. 13
 " " " qualified. 19
 " " " election of. 37
 " " " qualified. 47
 Thompson St. petition for water pipe in 56
 " water pipe in. 88
 Thomas, B. F. bill of. 71, 130, 195, 218
 Thomas, Chester B. 88
 " " qualified. 94
 Thomas, G. W. erroneous assessment. . 88
 Theiss, Anna M, release of tax lien. . . . 140
 " " " petition of. 143
 " " " granted. 157
 Thomas St. crosswalk on. 152
 Thompson St. petition for pl'k walk in. 164
 " first ord. for. 190
 " final ord. 204
 Thurber, tract lots 47 and 48, tax can-
 celed. 252
 " referred. 252
 " tax canceled. 273

Thrasher, F. M. petition of.....254
 Tichner, Solomon petition.....143
 " granted.....167
 Tonawanda St. to be graded..... 98
 " widening of..... 99
 Tower & Herrick, bill.....113
 Tower, A. K. & Co. bill.....164, 218, 267
 Tower, L. C. bill.....254
 Treasurer, City monthly report of, II, 64, 85,
 [121, 167, 185, 223, 242, 257
 statement of general city
 tax.....18, 19
 " to draw city's notes, 22, 70, 89
 " not to have tax sales re-
 corded..... 24
 " make provision to pay
 Police.....31
 " to report receipts of Mu-
 nicipal Court..... 41
 " cancel tax..... 41
 " to borrow on City's notes 68
 " order in favor of...70, 153
 " cancel tax.....166
 " com. from in reg'd to the
 finances of the City....167
 " com. from in regard to
 Plymouth Park assess't.186
 " to draw City's notes... 205
 " to get City's notes disc'd 217
 " to have books examined 218
 " com. from in regard to
 Oak St. improvement...230
 " to make City's notes for
 various notes.....238
 " to make City's note....252
 " annual report of.....315
 " report on money paid in
 by Municipal Court.... 47
 Tracy Park, ordinance postponed..... 19
 " indefinitely postponed.... 36
 Traders' Bank, Mayor enter into con-
 tract with.....30, 37, 97
 Tripp, Jas. S. petition of..... 31
 " granted..... 56
 Tracy Park, bill of Com. on opening of 64
 [160
 " petition of.....253
 " opening and extending... 275
 Tremont St. petition for gas mains in...130
 Traugott, Jacob petition of.....143
 " granted.....157
 Tracy, W. H. affidavitt of.....203
 True Dutch Reform Church, petition of 240
 " " remonstrance
 " " against.....240
 " " " "..... 250
 Treehouse, Josephine, petition of.....254
 Tschetter, T. petition of..... 91
 Tuety, Geo.....118
 Tumilty, Jas. petition of.....142
 " granted.....157
 Tubbs, J. N. affidavit of.....201
 Tubbs, Wm. N. app't of.....217
 " qualified.....223
 Twaig, Jerry petition of..... 16
 " granted..... 28

U.

University Ave. plank walk on, 1st ord. 11
 " " final ord.. 20
 " " local imp. ass't of.... 96
 " " con. of roll.....153
 " " and N. Y. C. & H. R. R.
 R. fire alarm box at... 24
 Union and Advertiser, to enter into con-
 tract..... 54
 " " bill of, 71, 90, 98,
 [112, 131, 142, 196, 229, 254, 267
 Union St. sprinkling of, first ord..... 48
 " " final ord..... 66
 " " local imp. ass't.....234
 " " confirmed.....277
 " " petition for sewer in..... 72
 " " sprinkling of.....264
 " " final ord.....275
 University Ave. crosswalk in.....192
 " roadway on to be rep'd 83
 Upton, David bill.....113, 210
 Upton Park, flag walk.....152
 " " final ord. for.....158

V.

VanVechten, John..... 19
 Van St., petition for water mains in... 24
 Vacuum Oil Co. petition of.....117
 " " tax canceled.....166
 Vaughn, R. F. bill.....218, 249
 VanHurtz, Jno. petition of.....249
 Veyhl & Bartholomew, bill of.....24, 90
 Vick Park, petition for water pipe in... 72
 " " reconsidered..... 83
 " " adopted..... 83
 Vick, Jas. bill.....143
 Vincent Place Bridge, lamps in.....236
 Vickerman, John petition of.....254
 Volksblatt, Rochester to print proceed's 26
 Vogel, A. bill of.....90, 164, 240, 249
 Vosburgh, Emily H. tax of..... 97

W.

Warren, Ald. temporary President... 3
 " " com. from on elevated
 tracks.....161
 Wamp, Christ petition granted..... 9
 Wark, Thos W. petition granted..... 9
 Wadsworth St. plank walk in..... 12
 " " final ord..... 20
 " " loeal imp. ass't of.... 86
 " " con. ass't roll.....153
 Wadsworth Square, railing around... 55
 Waldert, A. bill.....83, 164
 Water Works and Fire Board, com. from 58
 [62, 87, 121, 158, 172, 186, 219
 " " fund of..... 58
 " " to lay pipe in Thompson
 street..... 88
 " " to furnish names not pay-
 ing for water..... 89
 " " to lay pipe in Olean St... 90
 " " to lay pipe in Julia St.... 97
 " " to lay pipe in Genesee St. 98
 " " to lay pipe in Scrantom St.117
 " " to lay pipe in Ambrose St.153

Water Works, pay roll of, 107, 123, 149, 244	Whitmore, Rauber & Co., bill	165
" " engineering department of	Wheaton, John petition.....	183, 249
to be discontinued.....	Widman, John F. qualified.....	11
130	Wile, J. A. appointment of.....	22
Washington St. South, petition for	" " qualified.....	28
water mains in.....	Weitzal & Niwarde, bill.....	30
90	Williamson & Higbie, bills...30, 98, 131	
Watters, Geo. D. & Co, bill.....	[154, 164, 218, 267]	
90, 184	Wick, Geo. petition of.....	83
Watters & Doyle, to receive contract for	Wilder st. gas mains in.....	88
coal.....	Wilcox, Otis N. remonstrance of.....	94
44	Wilson, Jas. bill.....	117
" " bill.....	Wilson, G. W. petition of.....	117
90	Wisner, Henry C. report referred.....	119
Ward, L. A. & L F. bill.....	Wittman, Jacob tax lien released.....	130
117	Wilder, Saml. bill.....	143
Walters, Mr. petition granted.....	Wile & Wile, communication from... 200	
118	Wilson st. gas mains in.....	205
Warner, Wm. app't of.....	Wilson, Sarah M. tax lien released.....	207
159, 186	Wilder st. petition for naptha lamps on 240	
Watters, John E. bill.....	Wilbor, Chas. W. petition of.....	250
164	Williams, Geo. D. bill of.....	281
Ward, Levi A. tax canceled.....	Woodworth, Chauncy C. appointment of 27	
166	" " qualified.....	28
Wagoner, S. J. bill.....	Worcester, E. D. com. from.....	84, 91
" " yard leased to.....	Woodberry st. lateral grates to raised 111	
200	Woodward, C. E. bill...117, 142, 164, 184	
Waterman, I. S. com from on S. L. R. R.	[218, 240, 249, 254]	
matters.....	Worcester, David F.....	191
204	" " qualified.....	203
Warehouse St. plank walk on, 1st ord.231	Wolters, Chas. F. qualified.....	223
" " indef. postponed.....	" " appointment of.....	225
247	" " qualified.....	230
Water Works Com. annual report of...280	Wollard, S. C. tax lien released.....	252
Water Works and Fire Board to lay	Woodbury, Booth & Pryor bill of.....	253
water pipe in streets.....	Wright, Allison D. petition of.....	16
132	" " granted.....	28
Water Works and Fire Board to lay	Wray & Ellwood, bill...71, 154, 218, 267	
water pipe in Saratoga Ave....	Wright, Richard bill.....	196
153	Wright, Mary petition of.....	311
Water Works and Fire Board to lay	" " adopted.....	311
water pipe in Savannah St.....	Wurtz, Fred. bill.....	43, 90, 154, 210
153	Wulschleger, F. G. release of tax.....	111
Warner, Wm. E. app't of.....		
97		
Waldert, Wm. bill.....		
218		
Weber, Jacob petition of.....		
16, 28		
Weigal, Louis appointment of.....		
23		
" " qualified.....		
28		
Webster, Thos. petition granted.....		
32		
West ave. sprinkling of, 1st. ord.....		
35		
" " final ordinance.....		
48		
Weaver, George appointment of.....		
88		
Webster, Roy C. appointment of...97, 115		
Wellington, E. F. appointment of.111, 115		
Weitzal & Neweirde, bill.....		
142		
Westbury, Wm. appointment of.....		
191		
" " qualified.....		
203		
Webster, E. D. bill.....		
229		
Webb, W. M. petition of.....		
229		
West ave. sprinkling of.....		
233		
" " " confirmed.....		
277		
" " " 		
264		
" " " final ord.....		
277		
Weiss, Jno. B. petition of.....		
267		
White st. water pipe in.....		
25		
" " local imp. asst. of.....		
78		
" " confirmation of roll.....		
153		
Wheeler, S. bill..30, 82, 117, 164, 218, 254		
Wheeler, L. A., bills..30, 90, 113, 142, 164,		
[210, 240, 249, 254]		
Wheeler, A. G. bill.....		
55, 90, 281		
Whitehair, Wm. bill.....		
83, 98, 142		
Whitehair, Jas. bill.....		
90		
Whitney st. petition for sewer in.118, 131		
" " 1st. ord. " 		
128		
" " remon. against sewer in..131		
" " indef. postponed.....		
139		

Y.

Yawman, M. bill of.....	30, 90, 117, 240
Yawman, Johanna bill.....	55, 90, 112, 240
Yack, Frances petition of.....	56
" " granted.....	76
Yarton, Edward, qualified.....	214
Yost, Chas. H. bill.....	90

Z.

Zegewitz & Fisher, bill....	30, 98, 164, 229
[267]	
Zimmer, Geo. bill.....	55
Zimmer, Adam bill.....	164, 249
Zamer, Anton bill.....	165

