

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE
EIGHTY-THIRD SESSION

OF THE
LEGISLATURE,

BEGUN JANUARY THIRD, AND ENDED APRIL SEVENTEENTH, 1860, IN THE
CITY OF ALBANY.



ALBANY:
WEED, PARSONS AND COMPANY.
1860.

sioners' report, and when such trusts are fully discharged, such proceeds of said lands as may remain shall be for the use of said churches, or their legal representatives.

§ 10. This act shall take effect immediately.

Chap. 430.

AN ACT to authorize the city of Rochester to sell the stock of the Rochester and Genesee Valley Railroad Company, and to assist in the construction of water works.

Passed April 16, 1860 ; three-fifths being present.

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

SECTION 1. The common council of the city of Rochester are hereby authorized to sell and dispose of the interest of said city in the stock or bonds of the Rochester and Genesee Valley Railroad Company upon such conditions as they may deem for the interest of said city, and to apply the proceeds of such sale to the purchase of stock of the Rochester Water Works Company to an amount not exceeding the sum of two hundred thousand dollars.

Common council may dispose of interest in Rochester and Genesee Valley railroad.

§ 2. In case the said common council shall deem it expedient to sell such stock, or any part thereof, they shall so determine by resolution, and shall advertise the same in all the city papers of the said city for twenty days prior to any such sale. The proceeds of such sale shall be applied to the construction and completion of water works for said city in the same manner as prescribed in the sixth section of this act.

Stock to be advertised twenty days prior to sale

§ 3. If the said common council shall sell said stock of the Rochester and Genesee Valley Railroad Company and shall purchase the stock of the Rochester Water Works Company, as prescribed in the first section of this act, they shall annually appoint suitable persons who shall be directors of the said Water Works Company as hereinafter provided.

If city purchase water works stock directors to be appointed.

City to be
entitled to
one director
for every
\$50,000.

§ 4. The city of Rochester shall be entitled to one director in the board of directors of the Rochester Water Works Company for every fifty thousand dollars owned and held by said city.

Special
election
may be held

§ 5. In case the said common council shall deem it inexpedient or shall be unable to dispose of the interest of the city in the said Rochester and Genesee Valley Railroad Company, they may designate, by resolution, some suitable day on which shall be held a special election in all the wards in said city for the purpose of ascertaining whether the electors of said city are in favor of loaning the credit thereof for the purpose of building or assisting in the erection of water works. They shall publish notice of the time and place, in each ward, of holding such election at least ten days prior to the time fixed for such election, in all the daily papers in said city. They

Ballots.

shall also cause to be prepared a suitable number of ballots corresponding to the number of legal voters supposed to be in said city, on which shall be printed the words, "for water works," and also the same number on which shall be printed the words, "against water works." Said ballots shall be distributed in the several wards for use of all the electors in said city. The said election shall be conducted in all respects in the same manner as the charter elections in said city, except the time of opening and closing the polls; and the laws respecting such charter elections, and persons voting and offering to vote thereat, shall be applied to it. The inspectors of election in each ward shall prepare a suitable box in which each elector qualified to vote as aforesaid may deposit a ballot on which shall be written or printed the words, "for water works," or the words, "against water works." The polls of said election shall be opened at nine o'clock in the morning and continue open till three o'clock in the afternoon of the day appointed, when they shall be closed, and the inspectors shall then immediately proceed to canvass the votes deposited in said box in the same manner as provided by law in the election of charter officers, and shall immediately certify and return to the clerk of said city the aggregate number of votes taken, designating how many are "for water works," and how many are "against water works." The mayor and clerk of the city shall thereupon canvass the votes thus

Ballot box.

certified and returned from all the wards in said city, and shall make and file in the office of the city clerk their certificate, stating the aggregate number of ballots cast, and how many were "for water works," and how many were "against water works," and the said clerk shall communicate the result to the common council at their next meeting.

§ 6. If a majority of all the votes cast at the aforesaid election shall be "for water works," it shall be lawful for the common council of the city of Rochester to borrow on the faith and credit of said city any sum of money, not exceeding two hundred thousand dollars, for a term not exceeding thirty years, at a rate of interest not exceeding seven per cent per annum, and to execute bonds therefor under their corporate seal and the signature of the mayor or such other officer as the common council may designate. The bonds so to be executed may be in such sums and payable at such places and times, not exceeding thirty years, and in such form as the common* shall deem expedient. The common council of said city may dispose of such bonds to such persons or corporations, and upon such terms as they deem most advantageous to the city, but for not less than par; and the money which shall be so raised shall be invested in the stock of the Rochester Water Works Company, and be employed in the construction and completion of said works and for no other purposes.

If electors
so decide
common
council may
borrow
\$200,000, on
credit of
city.

§ 7. The act entitled "An act to incorporate the Rochester Water Works Company," passed April sixteenth, eighteen hundred and fifty-two, is hereby continued in force, notwithstanding the said company may not have fully complied with all the provisions of section nineteen of said act in relation to the commencement and completion of said works.

Act incor-
porating
Water
Works
Company
continued
in force.

§ 8. This act shall take effect immediately.

* So in original.