

L A W S

OF THE

STATE OF NEW YORK,

PASSED AT THE

NINETY-EIGHTH SESSION

OF THE

LEGISLATURE.

BEGUN JANUARY FIFTH AND ENDED MAY TWENTY-SECOND, 1875,  
IN THE CITY OF ALBANY.



ALBANY :  
HUGH J. HASTINGS, PUBLISHER.  
1875.

Doorkeeper, compensation of. such door-keeper, three dollars a day for each day's attendance when said board shall be in session. And it shall not be lawful for said board to audit and allow, or the county treasurer to pay, any supervisor of said county, or the clerk, messengers or door-keeper of said board of supervisors, any greater salary or compensation than that provided by this act.

§ 4. This act shall take effect immediately.

## Chap. 561.

AN ACT appointing commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building, to be used as such, thereon in the city of Rochester.

Passed June 9, 1875; three-fifths being present.

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

SECTION 1. Addison Gardner, Henry Lampert, Oscar Craig, Michael Filon, and Chauncey Perry are hereby appointed commissioners to investigate into the acts, accounts, proceedings and doings of the board of water commissioners of the city of Rochester, who were appointed under and 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 twenty-second, eighteen hundred and seventy-two, and all acts amendatory and supplementary thereto; and also to investigate the acts, accounts, doings and proceedings of the commissioners appointed under and in pursuance of an act of said Legislature, entitled "An act in relation to the erection of public buildings for the use of the city of Rochester," passed April twelve, eighteen hundred and seventy-two, and all acts amendatory and supplementary thereto.

§ 2. The said commissioners, before entering upon their duties, shall take and file in the office of the clerk of the county of Monroe, the oath of office prescribed by the twelfth article of the Constitution. They shall elect one of their number chairman, who shall preside at their meetings. A majority of said commissioners shall constitute a quorum. The said commissioners shall have power to appoint a stenographer, who shall take such testimony as shall be produced before said commissioners by said commissioners or any of the persons implicated, and shall commit the same to writing, and such stenographer shall also furnish a copy thereof in writing to said commissioners and to the said water and city hall commissioners, from time to time, as fast as the same shall be taken, but only two copies of such testimony shall be furnished, and said stenographer shall act as clerk for said commissioners, and shall be paid for his services the sum allowed to stenographic reporters in the Supreme and Circuit courts for such services, and said stenographer shall also take and file the oath of office in the Monroe county clerk's office as provided herein for said commissioners.

Official oath.

Stenographer.

Compensation of.

§ 3. The meetings of said commissioners shall be held at the place or **Meetings.**  
 places to be designated by the said mayor. The first meeting of said  
 commissioners shall be held within ten days after their appointment,  
 and such meetings may be adjourned, from time to time, as the said  
 commissioners shall determine. Said commissioner shall give notice of  
 the time and place of holding such meetings.

§ 4. Said commissioners are hereby authorized to examine any and **Examina-**  
 all books, papers, property, accounts, estimates, contracts and vouchers, **tion of**  
 and any and all matters connected with either said water-works, water- **books, pa-**  
 works commissioners or the commissioners for the erection of said city **pers, etc.**  
 hall, and the furnishing of said city hall and its offices. And said com-  
 missioners are hereby authorized to issue subpoenas and require the **Attend-**  
 attendance of witnesses before them for the purposes of examination as **ance of**  
 to the matters aforesaid, and in case of the failure or neglect of any **witnesses,**  
 witness duly subpoenaed as aforesaid, to attend before such commis- **how com-**  
 sioners, such commissioners may apply to a justice of the Supreme Court, **pedled.**  
 or the county judge of Monroe county, for an attachment against such  
 witness, and such justice or county judge may thereupon issue an  
 attachment against such witness, in the same manner as if the witness  
 was duly subpoenaed in an action pending in a court of record of this  
 State, and any sheriff of this State is hereby required to serve such  
 attachment, if any shall be issued.

§ 5. The commissioners to be\* appointed as aforesaid shall issue all **Witnesses**  
 subpoenas, that shall be required by any member of either of said boards **for boards**  
 of commissioners, so as aforesaid to be investigated, and the attendance **to be in-**  
 of all witnesses who shall be duly subpoenaed, shall be compelled as herein- **vestigat-**  
 before provided. And all necessary disbursements connected therewith **ed, sub-**  
 shall be paid as hereinafter provided. And such witnesses so subpoenaed **pœnas for,**  
 shall be examined in the same manner as witnesses subpoenaed by the **etc.**  
 commissioners to be appointed under this act. All examinations shall  
 be public.

§ 6. The chairman, or any of said commissioners at any regular **Oaths,**  
 meeting, shall have power to administer oaths to each of the witnesses **chairman**  
 to be produced before them. And any willful false swearing is hereby **may ad-**  
 declared to be perjury, and shall be punishable as such. **minister.**

§ 7. In case a vacancy shall occur in said commission, the mayor of **Vacancy,**  
 said city, with the advice and consent of the common council thereof, **how filled.**  
 shall appoint another tax-payer of said city, to fill such vacancy, and  
 the person so appointed shall take the oath provided for in this act.

§ 8. The said commissioners shall, upon the termination of the inves- **Report of**  
 tigation herein provided for, and on or before the fourteenth day of **commis-**  
 August, eighteen hundred and seventy-five, make their report to the **sioners.**  
 mayor of the city of Rochester, together with the testimony and evidence  
 taken before them relative to said water-works and city hall commis-  
 sions and their proceedings.

§ 9. The common council of said city of Rochester, shall audit all **Expenses.**  
 necessary and proper expenses and disbursements made and incurred by  
 or on behalf of such commissioners. Said commissioners shall receive  
 such compensation for their services as shall be allowed to them by the  
 common council of said city, but such compensation, expenses and  
 disbursements including such expenses as are authorized under the  
 tenth section of this act shall not exceed the sum of four thousand  
 dollars, and all sums so audited shall be paid by the treasurer of the  
 city of Rochester, from the funds of said city. **Compensation of**  
**commis-**  
**sioners.**

\* So in the original.

Engineers  
and archi-  
tects, em-  
ployment  
of.

§ 10. The said commissioners are hereby authorized to employ the assistance of competent engineers and architects to examine the said water-works, and matters and works connected therewith, and also the city hall hereinbefore referred to.

§ 11. This act shall take effect immediately.

## Chap. 562.

AN ACT to regulate the price of, and the quality of, gas used in the city of Yonkers, in the county of Westchester.

Passed June 9, 1875.

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

SECTION 1. No gas company now formed, or that may hereafter be formed or organized in the city of Yonkers, shall hereafter charge or collect from their customers or consumers in the said city, a larger price for the same than three dollars per thousand feet, for gas of an illuminating power of not less than sixteen candle light.

§ 2. This act shall take effect immediately.

## Chap. 563.

AN ACT in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city.

Passed June 9, 1875 ; three-fifths being present.

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

Entry  
upon  
streets,  
public  
squares,  
etc., for  
laying  
pipes, etc.

SECTION 1. The board of water commissioners 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, conduct 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 actual construction or 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 order and condition as before.

Proviso.

Water  
rents, ad-  
justment  
and col-  
lection of.

§ 2. It shall be the duty of the said water commissioners 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 rents, which shall be paid to said city for the use and consumption of water supplied by said 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 rents, if not paid when due, and, also, such other regulations as they may deem necessary for