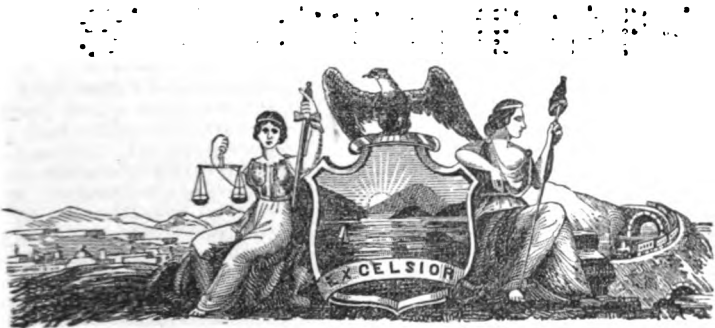


L A W S
OF THE
STATE OF NEW YORK,
//
PASSED AT THE
EIGHTY-SECOND SESSION

OF THE
LEGISLATURE,

BEGUN JANUARY FOURTH, AND ENDED APRIL NINETEENTH, 1859, IN THE
CITY OF ALBANY.



ALBANY :
W. C. LITTLE & COMPANY,
LAW BOOKSELLERS, 515 BROADWAY.
1859.

Chap. 259.

AN ACT authorizing the board of supervisors of the county of Ontario, to lease a portion of the new court-house in said county, to the United States, and to raise moneys by tax to pay for the said court-house.

Passed April 12, 1859; three-fifths being present.

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

SECTION 1. The board of supervisors of the county of Ontario, is hereby authorized to lease to the United States such portions of the new court-house in said county as shall be agreed upon by said board and the United States.

Portions of new court-house may be leased.

§ 2. The said board of supervisor may raise by tax upon taxable property of said county, a sum not exceeding ten thousand dollars in any one year, to pay the expenses incurred in erecting said new court-house.

Tax to be raised.

§ 3. This act shall take effect immediately.

Chap. 260.

AN ACT to amend the act entitled "An act to consolidate and amend the act to incorporate the village of Watertown, passed April twenty-six, eighteen hundred and thirty-one, and the several acts amendatory thereto, and the act amending the same," passed April fifteen, eighteen hundred and fifty-four.

Passed April 12, 1859; three-fifths being present.

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

SECTION 1. The president and trustees of the village of Watertown are hereby prohibited from incurring or creating any debt against the said village, unless they shall be first so authorized by a majority of the taxpayers of said village, at a special meeting called for that purpose, called by said president and trustees by notice of

President and trustees not to create debt.

such meeting, to be given and published for the same time and in the same manner as is provided now by law for calling the annual meetings in said village, and the notice of such special meeting shall contain the precise object for which such special meeting is called.

Amount
authorized
to be raised.

§ 2. That no greater sum than five thousand two hundred dollars, in addition to the sum of one thousand dollars, authorized to be raised by the twenty-fourth section of the act entitled "An act to supply the village of Watertown with pure and wholesome water, and for other purposes," passed March twenty-second, eighteen hundred and fifty-three, shall be assessed and collected on property in said village, in any one year, for defraying the expenses of said village.

Highway
labor.

§ 3. That no greater number of days of highway labor shall be assessed in any one year, on the personal and real property in said village, than shall have been determined at the annual meeting next preceding the assessing said tax, by a majority of the taxpayers of said village attending said annual meeting.

Street com-
missioner to
be elected.

§ 4. That there shall hereafter, at each annual meeting of said village, be elected by a majority of the voters authorized to vote for the election of officers at said annual meeting, a street commissioner, who shall be a resident and freeholder of and in said village, whose duty it shall be to superintend the streets, highways and alleys in said village, and expend and disburse the highway money raised in said village under the instruction and direction of the board of trustees, in the construction and repair of said highways, streets and alleys, by paying for all necessary labor and materials or other things applied to the same, by his draft on the treasurer of said village, specifying in each draft the labor, materials or other things for which said draft is drawn. It shall also be his duty to collect in each year, from each of the male inhabitants, over the age of twenty-one years, in said village, excepting those who are now by law exempt from the payment of said tax, a poll tax of fifty cents, and which he shall expend in the same manner and for the same purpose as herein directed in relation to the highway labor. It shall also be his further duty to render under oath, to the president and trustees of said village, annually, on or before the first day of January, a just and

To collect
poll tax.

true account of the money received and expended by him as said street commissioner, and shall also, at the same time, present to the said president and trustees, under oath, an estimate of the amount of highway labor that in his opinion it is necessary to raise the next ensuing year, and on the first Monday in each month report to said trustees his acts and doings as such commissioner, and the amount expended.

§ 5. Before the annual tax list for said village is completed, the president of said village shall furnish a copy of the determination of the annual meeting, in each year, to the assessors, to apportion the same among the persons named in said tax list, at and after the rate of fifty cents for a day's labor, in proportion to the property of each, as set forth in said assessment roll, and the amount of said highway assessment shall be collected at the same time, and in the same manner, as the sum voted at the annual meeting, for the contingent expenses of said meeting. Such highway tax shall be entered in a separate column in the tax roll delivered to the collector, and it shall be his duty to pay the moneys collected for highway tax to the treasurer of said village, and the said treasurer shall keep a separate account of the receipts and payments on account of said highway tax, and the said money shall not be used and applied for any other purpose than the making and maintaining the streets and highways in said village.

Apportionment.

Highway tax to be kept separate.

§ 6. The said treasurer shall only pay out the said money paid to him on account of highway tax, on the order or draft of the street commissioner hereby authorized to be elected, after one shall be so elected, and have given bond as hereinafter provided.

Money from highway tax.

§ 7. Each street commissioner, elected as aforesaid, shall, within ten days after his election, execute and deliver to the president a bond, with two sufficient sureties, who shall justify to the amount of the penalty of such bond, to the village of Watertown, conditioned for the faithful performance of his duties as such street commissioner, and to fully account for all moneys that shall come into his hands as such commissioner, which bond shall be *such penalty as said president may designate, not, however, less than double the amount of highway

Street commissioner to execute bond.

* So in original.

tax ordered to be raised at the immediate preceding annual meeting, nor more than treble that amount; the said bond and sureties to be approved by a majority of the board of trustees, and when so approved to be filed by the president with the treasurer of said village.

Refusal or neglect to execute bond, office to be deemed vacant.

§ 8. In case any street commissioner shall refuse or neglect to give the bond required in the next preceding section, and within the time therein specified, the office shall be deemed vacant, and in such case, or in case of a vacancy in said office for any other cause, another may be elected at a special meeting to be called for that purpose; and it shall be the duty of the president and trustees forthwith to call such meeting, giving notice of same as in relation to the annual meeting; and such meeting shall be presided over as the annual meeting, and the election at and result of said meeting be ascertained as at the annual meeting.

Report of street commissioner.

§ 9. It shall be the duty of the president, at every annual meeting, to present to said meeting the report of said street commissioner, and his estimate as to the amount of labor required, made and rendered in pursuance of the provisions of this act.

President and trustees to determine compensation of street commissioner.

§ 10. The president and trustees shall fix by resolution, previous to the first day of May, in each year, the sum such street commissioner shall be allowed to receive, out of said highway tax, as a reasonable and just compensation for his service during the year, to be paid in such proportion and at such times as said president and trustees shall by resolution specify, and such amount shall only be paid out of such highway tax. All acts and parts of acts, relating to the village of Watertown, inconsistent with or repugnant to the provisions of this act, are hereby repealed.