

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE
EIGHTY-NINTH SESSION

OF THE
LEGISLATURE,

BEGUN JANUARY SECOND, AND ENDED APRIL TWENTIETH, 1866, IN THE
CITY OF ALBANY.

VOLUME



ALBANY:
W. C. LITTLE, LAW BOOK PUBLISHER, 525 BROADWAY.

1866.

ter, or any other city of this State wherein the taxes are collected under a special law; but the same shall apply to the city of Oswego. act does not extend.

§ 3. This act shall take effect immediately, and shall expire on the thirty-first day of December next.

Chap. 29.

AN ACT to amend chapter one hundred and forty of the laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and enlarge the powers of the corporation of said village," and also to amend chapter one hundred and eight of the laws of eighteen hundred and sixty-four, entitled "An act to amend the charter of the village of Batavia."

Passed February 8, 1866; 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 Section one of chapter one hundred and eight of the laws of eighteen hundred and sixty-four is hereby repealed.

§ 2. Section one of title three of said chapter one hundred and forty of the laws of eighteen hundred and fifty-three, is hereby amended so as to read as follows:

§ 1. The officers of the village shall be five trustees (one of whom shall be president of the board of trustees), one treasurer, one clerk, one police constable, who shall also be collector of taxes and assessments, and three assessors. The said trustees and assessors shall be chosen by ballot, and the trustees first elected after the passage of this amendment, shall be divided by lot into five classes; the first class shall hold his office one year, the second class two years, the third class three years, the fourth class four years, and the fifth class five years; and thereafter one trustee shall be elected in each year, who shall hold his office for the

Officers of village. How to be chosen.

term of five years. The assessors first elected shall be divided by lot into three classes; the first class shall hold his office one year, the second two years, and the third class three years; and thereafter one assessor shall be elected each year, who shall hold his office three years. The constable shall hold his office one year. The clerk and treasurer shall be appointed by the trustees, and shall hold their offices, respectively, during the pleasure of said trustees. And at each election after the first, in case there shall be a vacancy in the office of trustee or assessor, such vacancy shall be filled by an election by ballot, and the officer so elected shall hold his office for the same term that the officer whose place shall have become vacant would have held the same.

Power of trustees as to wells, aqueducts and conveying of water to put out fires and for use of the Institution for the Blind.

§ 3. Section ten of title four of said chapter one hundred and forty of the laws of eighteen hundred and fifty-three shall be and is hereby amended, by adding at the end thereof, as follows: The trustees shall have power to make and construct wells, aqueducts, cisterns, reservoirs and conduits for holding, receiving and conveying water for the purpose of using the same to extinguish fires, and for other purposes for the use of said village, including the power to convey water from the Tonawanda creek to the highlands near the site of the proposed "New York State Institution for the Blind," and may expend for the purposes of this section, a sum not exceeding twenty thousand dollars, which sum, or any part thereof, they are authorized to borrow upon the credit of said village, payable by installments, and the moneys so borrowed, with the interest thereon, shall be levied and collected in the same manner as the other taxes of said village are levied and collected.

Amount they may borrow.

§ 4. Said title four shall be further amended, by adding at the end thereof a section numbered section twelve, which shall read as follows:

Bond to be given by trustees to people of state.

§ 12. The trustees shall have power to give and execute a bond or other security to the people of this State, to the satisfaction of the proper State officer or officers, conditioned that they will convey water to the said "The New York State Institution for the Blind," in conformity with such agreements as may be made for that

purpose between the village of Batavia and the said state officer or officers.

§ 5. Section one of said title seven, is hereby amended by striking out the words "five hundred" in said section, and inserting in lieu thereof, "one thousand," and also by striking out the words "one thousand," and inserting in lieu thereof; "one thousand five hundred."

§ 6. This act shall take effect immediately.

Chap. 30.

AN ACT relative to Town Elections.

Passed February 9, 1866; three-fifths being present.

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

SECTION 1. Section three, article first, of title two, of chapter eleven, of part first of the Revised Statutes, is hereby amended so as to read as follows:

"§ 3. There shall be chosen at the annual town meeting in each town one supervisor, one town clerk, one assessor, one collector, one or two overseers of the poor, one, two or three commissioners of highways, and not more than five constables; but nothing herein contained shall prevent the election, at such town meeting, of any greater number of the officers respectively herein specified, or of any officer not herein specified, where the power to elect such greater number, or such other officer or officers, has hitherto been conferred by any statute other than the section hereby amended, nor shall anything herein contained authorize the election of overseers of the poor in any town in the counties of Richmond or Kings."

§ 2. The sixth section of an act entitled "An act to amend title one of chapter sixteen of the first part of the Revised Statutes, in regard to roads and bridges, and the appointment of overseers of highways," passed April twenty-first, one thousand eight hundred and sixty-five, is hereby repealed.

§ 3. This act shall take effect immediately.