

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE
EIGHTY-FOURTH SESSION

OF THE
LEGISLATURE,

BEGUN JANUARY FIRST, AND ENDED APRIL SIXTEENTH, 1861,
IN THE CITY OF ALBANY,



ALBANY:
MUNSELL & ROWLAND, 78 STATE STREET.
1861.

shall have received from the comptroller, in pursuance of the provisions of this act, relating to the sale of lands for unpaid taxes.

§ 5. This act shall take effect immediately.

Chap. 82.

AN ACT to amend the act entitled "An act to incorporate the village of Jordan," passed May second eighteen hundred and thirty-five, and the acts amendatory thereof.

Passed March 26, 1861, three-fifths being present.

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

SECTION 1. The act to incorporate the village of Jordan, passed May second, eighteen hundred and thirty-five, and the acts amendatory thereof, are hereby modified and amended so as to read as follows:

The district of country in the town of Elbridge, in the county of Onondaga, and contained within the following bounds, to wit: Beginning at a point five chains south from the present bounds of said village, as described in said act of incorporation, passed May second, eighteen hundred and thirty-five, running thence north to the south bounds of lands owned by the New York Central rail road company; thence westerly along the south bounds of said rail road to a point on the farmed owned and occupied by Hollis Knowlton, and in a line on the north and west bounds of the farm of the late Henry W. Bond; then south along the west line of said Bond's farm, and also along the west bounds of the survey of fifty acres on lot number forty-five to the north bounds of the highway leading past the premises of Timothy Healy; thence easterly along the north line of said highway, and continuing easterly to the place of beginning, shall hereafter be known by the name of the village of Jordan, and the inhabitants residing within the aforesaid bounds shall hereafter be

a corporation by the name of the trustees of the village of Jordan.

To be three
wards.

§ 2. The said village shall be divided into three wards, as follows: That part thereof lying north of the Erie canal shall constitute the first ward; that part thereof on the south side of said canal, and east of the centre of Main street, shall constitute the second ward; that part thereof lying south of said canal, and on the west side of the centre of Main street shall be the third ward.

Officers to
be elected.

§ 3. The inhabitants of said village qualified to vote at town meetings shall, at their annual charter elections, elect by ballot from their number one president, three trustees, one corporation clerk, one treasurer, one collector, one police justice, one police constable, and one assessor. The number of trustees shall be six, three of whom shall be chosen annually as aforesaid, and the three now in office who have the longest term to serve shall hold their office until the first annual meeting in the corporation in the year A. D. eighteen hundred and sixty-two, and until others are chosen in their place.

Annual
meetings.

§ 4. The annual meetings for the election of said officers and other objects herein designated, shall be held in said village on the fourth Tuesday in March, in each and every year hereafter, at the places now or hereafter to be designated by the board of trustees. If, however, from any cause, said annual meeting should not so be held, said corporation shall not for such omission be dissolved; but a special meeting may thereafter be called and held as hereinafter provided, at which all business proper to be transacted at an annual meeting may be transacted. At all meetings of the corporation, the president, and in his absence, one of the trustees, to be designated by the meeting, shall preside.

Elections by
ballot.

§ 5. All elections shall be by ballot, and the names of all the officers voted for shall be written or printed on the same ballot, with the name of the office for which each candidate is voted for, so written or printed in the ballot as clearly to designate the office for which he or they may be voted. The candidates receiving the greatest number of votes for the offices thus designated shall be elected, except as hereinafter provided in sec-

tion fifteen of this act, and all resolutions at general meetings, as well as in the session of the board of trustees, shall be carried by a plurality of votes given.

§ 6. The term of office of the trustees now chosen, or hereafter to be chosen, shall be two years from the time of holding the annual meeting at which they shall have been or shall be elected, and until others are elected or chosen in their stead, except in cases of an election to fill a vacancy, in which case the trustee so elected shall hold his office during the unexpired term of his predecessor. In case other trustees shall be voted for at the same time with the one voted for to fill a vacancy, the name of the person voted for to fill such vacancy shall be designated in the ballot by the word "vacancy" written or printed opposite his name, and the person having the greatest number of votes shall be elected to fill such vacancy.

Term of office.

§ 7. Every person elected or appointed to any office shall, within ten days after his election or appointment and notice thereof, signify his acceptance of the office by a writing filed with the clerk, and shall, with the exception of trustees, hold his office until the next annual election, and till a successor shall have been qualified to act in his stead.

Acceptances.

§ 8. Every person who shall omit the duty prescribed in the last preceding section shall be deemed to have refused to serve, and (except the treasurer and collector) shall forfeit the sum of five dollars to the use of said corporation.

Neglect to file acceptance.

§ 9. The president shall preside at all meetings of the board of trustees, and shall direct the clerk to call special meetings of the inhabitants whenever the business of the annual meeting shall not have been done on the day designated for that purpose, and whenever requested so to do, in writing, by five freeholders of said village. He shall also direct the clerk to convene the board of trustees whenever there shall be a vacancy in office, and whenever he shall deem it necessary for any other purpose. He shall direct the treasurer to prosecute for any penalty under this act, or the by-laws of the village, which shall come to his knowledge. As presiding officer he shall have a casting vote in case of a tie in an election, or on the passage of any by-law or resolution. And whenever a draft is to be made upon

President's duties.

the funds of the corporation he shall send to the treasurer his check for the amount, and retain a copy thereof in a book to be kept by him for that purpose.

Clerk's duties.

§ 10. The clerk shall file and keep all papers lodged with him. He shall attend all general meetings of the board of trustees, and record the proceedings of each in proper books, to be kept by him for that purpose. He shall give six days' notice of the time and place for holding the annual meeting, in a newspaper printed in said village, or by posting the same in three public places in said village. He shall give like notice of every special meeting, as hereinbefore directed, stating therein the object for which the said special meeting is called. He shall convene the board of trustees whenever required so to do by the president, by serving a notice personally upon each.

Treasurer's duties.

§ 11. The treasurer shall receive the funds of the corporation and pay them out on the order of the president. He shall prosecute in the name of the corporation for all causes of action in favor of said corporation, and for all fines and penalties incurred under this act, or any act amendatory thereof, or under the by-laws of said village, except in cases where he may have an interest as a party defendant, in which case the president shall prosecute. He shall commence such prosecution whenever required so to do by the president or one of the trustees, or whenever he shall have reasonable cause to believe such fine or penalty has been incurred. And (when required by any by-law or ordinance of said village), he shall, before entering upon the duties of office, give a bond to said corporation, with sureties satisfactory to the president, conditioned for the faithful performance of his duties as such treasurer, which bond shall be filed with the clerk, and if forfeited, prosecuted by the president in the name of the corporation.

Collector's duties.

§ 12. The collector shall collect the taxes imposed by virtue of this act, retaining, as the trustees may determine, two, and not over five per cent for his fees, and shall pay the balance to the treasurer and take his receipt. For the purpose of collecting taxes he shall possess all the powers and privileges, and be subject to all the restrictions of a town collector, under the general laws of the state. And he shall give a bond,

with sureties satisfactory to the president, for the faithful discharge of his duties, which shall be filed with the clerk. If said bond shall not be given and filed before the first day of May in each year, his office shall be deemed vacant, and the trustees may forthwith appoint another in his place, who shall forthwith give and file such bond, and in default thereof may appoint another in his place, who shall execute and file such bond with sureties as aforesaid.

§ 13. The police justice shall hold his office for the term of two years, and until another is elected in his stead; he shall, before he enters upon the duties of his office, and within fifteen days after notice of his election take and subscribe before the clerk of the county of Onondaga, the constitutional oath of office, and file the same in the clerk's office of said village, and also in the clerk's office of the county of Onondaga. The said police justice shall keep an office in said village for the hearing of causes, and shall possess all the power and authority in all respects as is now by law vested in the justices of the peace of the town of Elbridge; and he shall be a justice of the peace and commissioner of deeds in and for the county of Onondaga, and shall have full power and authority to hear, try, and determine all cases lawfully arising by virtue of this act, or under the by-laws and ordinances of said village, and he shall be entitled to charge and receive the same fees, compensation, and emoluments that the justices of the peace in the said town of Elbridge are by law entitled to charge and receive in like cases. The said police justice shall keep a true account of all money collected or received by him arising from fines and penalties, or from any other proceedings had before him in which the trustees were a party to the suit, and shall pay over the amount to the treasurer of said village within thirty days after the same shall have been received, and at the time shall furnish to the treasurer a certificate, signed by himself, containing the names of the persons from whom, the offences for which, and the day when said fine or penalty was collected.

§ 14. The police constable, before he enters upon the duties of his office, shall take and subscribe, before the president of said village, the oath of office prescribed by the constitution of this state, which oath may be adminis-

Police justice's duties.

Police constable's duties.

tered by such president, and the certificate thereof shall be filed by him with the clerk of said village. In civil suits where the corporation are a party, and in all criminal matters and proceedings, the powers and duties of such constable shall be the same as that of constables elected or chosen under the general laws of the state, and in all other civil suits, matters and proceedings the powers and duties of such constable shall be the same as other constables within the limits of said corporation, and shall have no other powers, and be subject to no other duties herein described. Such constable, before he enters upon the duties of his office, shall* approve as is now required by law to be given by a constable before he enters upon the duties of his office, which security shall be filed with the clerk of said corporation. The number of trustees of said village, after the next annual meeting in said village, shall be six, three of whom shall be elected at each annual meeting thereafter.

Two trustees to be resident of each ward.

§ 15. It being the intention of this act that two of the trustees shall be residents of each ward, it is hereby provided that the persons receiving the greatest number of votes for trustees shall be elected, excepting when such result would deprive any ward of its proper number of trustees, in which case the person receiving the highest number of votes cast for any resident of such ward for said office shall be declared elected.

Amount of money to be raised each year.

§ 16. The whole amount of money to be raised in any one year for municipal purposes, including what shall be necessary to pay and discharge all indebtedness now existing against said corporation, or any person or persons in behalf of the same, and excluding assessments for ordinary highway labor, may reach but shall not exceed the sum of six hundred dollars, and which shall first be allowed by a vote of the inhabitants of said village liable to be assessed by the town assessors for real or personal property, which vote shall be had at an annual meeting next prior to the time of making the assessment for said money, and which vote shall specify, as near as may be, the objects for which such money is to be raised, and the amount to be raised for each object.

Assessor's duty.

§ 17. The assessor shall make an annual assessment of

* Evidently an omission.

all property, real and personal, in said village, which assessment shall be subject to the conditions, rules and restrictions made under the general laws of the state. When said assessor shall have completed his assessment he shall, on or before the first day of July, yearly, report the same to and leave it with the trustees of said village, who may alter and correct the same as they may deem proper, and when the same shall be revised and completed by said trustees they shall give notice thereof by a written or printed notice, to be posted in three public places in said village for at least twenty days, and in such notice fix upon the time and place in said village at which any person assessed may appear before them for the purpose of reducing the valuation of their property as so assessed, and may have such valuation reduced in the same manner and under the same circumstances as such valuation may be reduced by town assessors, the president or any member of said board of trustees being hereby authorized to administer all oaths necessary and proper for that purpose. The assessor shall receive for his services at the rate of one dollar and twenty-five cents per day for each day actually engaged as such assessor, to be audited by the board of trustees.

§ 18. The trustees shall convene whenever required so to do by the president, and shall have power to establish such by-laws, ordinances, rules and regulations as they may deem necessary and proper, upon the subjects and within the limits prescribed by this act and acts hereafter to be passed amendatory thereof, and shall have power :

Trustees to
establish
rules, &c.

1. To prescribe more particularly the duty of the officers, the manner in which the clerk and treasurer shall keep their accounts, and the time and manner in which the treasurer and collector shall account and pay over moneys in their hands.

Accounts
how kept.

2. To enforce the observance of this act and acts amendatory thereof, and of their own by-laws, rules and ordinances, by fines and penalties, not exceeding twenty-five dollars for any violation thereof.

Enforce
rules, &c.

3. When authorized so to do by a vote at any general meeting, to purchase and hold real estate for the use of said corporation, not exceeding in value four thousand dollars, and to sell, lease, mortgage, or convey

To purchase
and hold
real estate.

the same for the benefit of said corporation, when authorized by a similar vote.

Wells, engine houses, &c.

4. To cause wells, reservoirs, engine-houses, markets, fire engines, hose and carriages for the same to be procured for the benefit of said corporation, and other improvements to be made, and articles to be purchased or procured by said corporation, provided that the same first be authorized by a vote of said inhabitants as aforesaid.

Hook and ladders, &c.

5. They shall procure hooks, ladders, and buckets for the use of the corporation, or cause the inhabitants of said village to procure the same as shall by them be deemed expedient.

Tax bill.

6. After the assessment, as prescribed by section seventeen of this act, shall be finally completed, they shall proceed to make out a tax roll as the tax rolls for the several towns are required by law to be made out, to which they shall annex a warrant, with or without seal, directed to the collector, signed by a majority of their number, returnable and renewable as by the by-laws shall be prescribed, and shall deliver the same to the collector.

Sidewalks.

7. They shall have power, by vote of a majority of this board at any regular meeting thereof, to order the construction or repair that they may deem proper of any sidewalk within the limits of said village.

Notice when sidewalks are to be constructed.

8. When the trustees shall order any sidewalk to be constructed or repaired, they shall cause notice thereof, in writing, to be served upon the owner or owners of the premises adjoining the portion or portions of the walk so ordered to be constructed or repaired, directing him or them to construct, alter, or repair, in a given time, in such notice to be specified (not less than fifteen days after service of such notice), and if there be no actual occupant, such notice may be served on the person having the care thereof, or by posting the same on some conspicuous place on said premises; the affidavit of such service, filed with the clerk of the corporation, shall be presumptive evidence of such service; and in case of any neglect or refusal of such owner or occupant so to construct, alter, or repair his or her portion of such sidewalk, it shall be lawful for the trustees to do the same, and assess the expenses thereof on the premises adjacent to that portion of the sidewalk so

constructed, altered, or repaired, or upon such owner or occupant, and to collect the same in the manner as provided for the collection of other taxes or assessments by this act.

9. The trustees may appoint firemen, not to exceed ^{Firemen.} sixty-four to each engine, and for good cause, may remove and appoint others in their stead. They may organize one or more fire, hook, hose, ladder, and axe companies, and establish rules and regulations for their observance.

10. They may, also, when authorized so to do by the ^{Pound.} vote of the inhabitants of said village liable to be assessed for real or personal property by the town assessor, build a pound, and purchase and hold the premises necessary therefor.

11. They may direct the manner in which all do- ^{Animals at} mestic animals running at large in said village may ^{large.} be seized, impounded, and sold.

12. They may, also, from time to time, make by- ^{Nuisances,} laws and ordinances as to abating and suppressing all ^{&c.} manner of nuisances; as to preventing the incumbering the streets and side-walks; as to prohibiting fireworks and the firing of guns in said village; against the running and dangerous driving of horses; as to regulating the construction and keeping in safe condition fires, fire-places, chimneys, stoves, and stove pipes, and the deposit of ashes, the construction of scuttles in the roof of buildings, and the access to them; as to markets; they shall have power to establish and maintain a village watch, to light the streets; as to erecting and keeping hay-scales; they shall have the exclusive power to license or prohibit the exhibition of every kind of shows, on such conditions and under such regulations as they shall deem proper; they may lease, purchase, and hold, when authorized so to do by a vote of the inhabitants, suitable premises for the purpose, and build and construct thereon a watch-house or lock-up for the ^{Disorderly} purpose of safe keeping therein all disorderly and ^{persons.} drunken persons, or other persons under arrest, and to rent and hire a suitable room or rooms for such purpose, and to furnish such watch-house or lock-up with suitable furniture and fires for the same. The said trustees, or either of them, the president, or any of the police or town constables residing in said village, shall

Arrests.

have power at any time to arrest, or cause to be arrested, with or without process, all disorderly or drunken persons, who may be found in any streets, lanes, or docks of said village, and take or cause them to be taken before the police justice, or any justice of the peace residing and having an office in said village, to be dealt with according to law; and should the said justice be absent or otherwise prevented from hearing or trying such person, the officer causing such arrest may cause the person so arrested to be confined in the lock-up or watch-house not exceeding twenty-four hours, excluding Sundays, until some justice residing in said village shall be able to attend to their trial. All such arrests shall be forthwith reported, in writing, to the president or police justice by the person making the arrest, stating in such report the cause thereof. The board of trustees shall have power to remit in whole or in part any fine or penalty for the violation of any of the by-laws or ordinances of said village after judgment may have been recovered for the same upon such terms as to said board may seem just. The trustees shall, on or before the tenth day of April in each year, fix the aggregate amount of highway labor to be laid out upon the roads, streets and lanes in said village, and shall assess each male inhabitant over twenty-one years of age residing in said village, so far as they may be able to ascertain, the sum of fifty cents therefor and for the balance, shall apportion the same among, and assess therefor the taxable inhabitants of the village, having reference, as near as may be, to the last assessment roll of said village. The trustees shall make out an assessment accordingly and attach thereto a warrant, with or without seal, directed to the collector of said village, directing him to collect such tax or assessment within sixty days after the receipt thereof by him, in the same manner as the collectors of towns are authorized to collect taxes. They may employ, in behalf of the corporation, attorneys and counsel in prosecution or defence of any action by or against said village, and in such other cases as may require professional skill. Should anything occur in the interval between any of the annual meetings of said corporation, rendering it necessary that any of the cross-walks, bridges, or property belonging to the corporation should be repaired, it shall

Highway
labor.Attorneys
may be em-
ployed.

be the duty of the board of trustees to repair the same upon the credit of the corporation, to be paid by an appropriation at the annual meeting next thereafter, or may be paid by them out of any money in the treasury not otherwise appropriated. A street commissioner shall be appointed by the board of trustees, who shall hold his office during the pleasure of the board.

§ 19. The collector, upon the receipt by him of any warrant for the collection of highway assessments or tax, shall forthwith cause notice of the same to be posted in three public places in the village, designating some convenient place in said village where said assessment shall be paid, and upon any and all such assessments paid to said collector within thirty days after the postage of such notices, the said collector may and shall collect in addition to such assessment the sum of one per cent thereon for his services, and upon sums paid or collected after that time, the sum of five per cent in addition to such assessment, all of which moneys shall be paid over by said collector to the treasurer of said village. The duty and powers of the collector in collecting the moneys directed to be collected by such warrant shall be the same as on other warrants placed in his hands for the collection of money.

Notice by
the collector

§ 20. It shall be the duty of the street commissioner to keep in good condition the streets, lanes, and bridges of the village, under the direction of the trustees; to superintend personally the work, and to direct the same. He shall report to the trustees by filing such report with the clerk of said village, within ten days from the time of his appointment, all the inhabitants in each ward in said village over twenty-one years of age, liable to be assessed for highway labor in said corporation. The said street commissioner shall, when required by the board of trustees, report to them the amount of money necessary to be paid for labor and improvements done or to be done on the streets, cross-walks, lanes, and bridges of said village, specifying the amounts for each locality. The street commissioner shall be entitled to receive for his time and services not to exceed the sum of one dollar and twenty-five cents for each day's service as such commissioner, to be audited and allowed by the board of trustees, and paid out of the fund raised for ordinary highway labor.

Street com-
missioner.

Vacancies.

§ 21. Whenever any vacancy in any office of said corporation shall occur, except in the cases provided for in section twelve, a special meeting of the inhabitants of said village may be called by the board of trustees, or a majority of them, to fill such vacancy, which shall be done by a vote by ballot. Notice of such meeting shall be given by said trustees by causing the same to be posted at least six days in three public places in said village, specifying therein the time and place at which such election will be held. Said meeting shall be conducted as other general meetings of said corporation.

Ordinances,
when to be
in force.

§ 22. No ordinance or by-law of said village hereafter to be made by the board of trustees of said village shall be of force until the same shall have been posted by the clerk of said corporation for ten days in three public places in said village; and the affidavit of the service, posting or publication of all notices required by this act, or a copy thereof, engrossed in the book in which the proceedings of said board are recorded, shall be received in all courts, matters and proceedings as presumptive evidence of the facts therein contained.

Separate
road district

§ 23. The lands comprehended within the bounds of said village are hereby made a separate and distinct road district, and shall be exempt from the superintendence and control of the commissioners of highways of the town of Elbridge, and all the duties incident to that body are hereby devolved on the trustees of said village, except the bridges within the bounds of said village, and culverts now passing under any of the streets, which shall continue under the superintendence and control of the commissioners of highways of the town of Elbridge and the canal commissioners.

Neglect or
refusal to
pay high-
way tax.

§ 24. Whenever any person upon whose estate or property a tax shall be assessed, including highway or any other assessment, shall neglect or refuse to pay the same, and there shall be no personal property whereon the same can be levied, or out of which such tax can be collected, the collector shall make a return thereof to the trustees, who are authorized to cause the estate on which such tax shall be assessed to be sold at public auction for a term of time not exceeding ten years, for the payment of such tax, giving three months' notice of such sale in one or more of the newspapers published in said village, or by posting the same in three public places in said village, and by serving personal notice on the

owner or agent of such land or estate, and the same shall be sold to the person who shall offer to take it for the shortest term for the payment of such tax, with interest, and the expense of such notice and sale.

§ 25. Whenever any real estate shall be sold for the collection of any tax, and the owner thereof, his heirs and assigns shall not within one year thereafter have paid or tendered to the purchaser, or his legal representative, or the treasurer of the village of Jordan, the amount of such tax and all expenses, with interest at the rate of ten per cent per annum, the trustees shall deliver to the purchaser thereof a certificate of such sale, under the hand and seal of the president, the execution of which may be acknowledged as deeds, and may be recorded in like manner and with like effect, as in case of other conveyances of the title of lands.

When real estate is sold for tax.

§ 26. The purchaser on any such sale on receiving such certificate, or his executors, administrators or assigns may immediately enter into the possession of such real estate, and hold, occupy, and enjoy the same during the term for which it was sold.

Purchaser, &c.

§ 27. The lands comprehended within the bounds of the village, and which are reserved as wood lands, meadow lands, pastures, orchards, and in general all such lands as are kept and improved as farming lands, with their appurtenances (dwelling houses excepted), shall not, so long as they are so reserved, kept, or used, be taxed for the benefit of the village, except in relation to the streets and side-walks running through or adjoining the same.

What property may be exempted from tax.

§ 28. All taxes, impositions or assessments on real estate in said village, or upon the owners or occupants thereof, shall be a lien thereon, provided the collector shall file an affidavit of the fact, stating his inability to collect the same of the owner or occupant of such premises so assessed, in the clerk's office of the county of Onondaga.

Taxes to be a lien &c.

§ 29. The trustees in each and every year at the place where the annual meeting is held, shall exhibit to such meeting a statement of all the moneys received by them, and the several sums paid out, and for what purposes, specifying each particular, and they shall also report then and there what alterations or improvements as in

Yearly statements to be made by trustees.

their opinion is necessary and proper to be made in said village, and the probable expense of each.

Jurisdiction
of Justices
of the peace.

§ 30. The justices of the peace of the said town of Elbridge shall have jurisdiction and cognizance of all actions brought to recover fines and penalties imposed by this act, and the by-laws to be established under it.

Declara-
tions.

§ 31. In all actions to be brought by virtue of this act, it shall be sufficient for the trustees to declare or complain that the defendant is indebted to the corporation in the sum of the fine or penalty, specifying the section of the act of incorporation, or the date of the ordinance under which the same is claimed.

Who may
act as jurors,
&c.

§ 32. No inhabitant of said village shall be disqualified to act as a justice, juror, constable or witness in any action in which the corporation may be a party by reason of any interest he may have in the result of said suit as such inhabitant.

Oath.

§ 33. Whenever at any meeting to be held under this act it shall become necessary that any person should be sworn, the presiding officer is hereby authorized to administer the oath or affirmation, and to certify the affidavit or deposition, if any be taken.

Real estate
owned by
one, or more
occupied by
another per-
son.

§ 34. In case any real estate in said village shall be owned by one or more, and occupied by another person, or other persons, the taxes, impositions, or assessments upon it may be assessed to either owner or occupant. If in such case the tax, imposition, or assessment is paid by the occupant, he may charge the same to the owner, unless by some agreement such occupant ought to pay the same.

Embezzle-
ment.

§ 35. Any officer of said village who shall embezzle, misapply, or appropriate to his own use any moneys in his hands or under his control as such officer shall be deemed guilty of a misdemeanor, and punished by fine or imprisonment or both, which fine shall not exceed five hundred dollars, and which imprisonment shall not exceed one year.

Reports, &c.

§ 36. The president must submit to the board of trustees, ten days before each annual meeting, a report containing

1. A statement of all moneys raised and received, distinguishing the funds and purposes to which they belong.

2. All payments and disbursements made from funds belonging to the corporation during the year then ending, and to whom and for what purposes paid, and the amount of each payment.

3. The amount of the indebtedness of said corporation, and the nature of the indebtedness, and to whom owing.

4. The amount of moneys necessary in his opinion to be raised during the ensuing year, specifying the objects and the sum necessary for each object.

§ 37. Any inhabitant of said village assessed to pay ^{Payment for highway labor.} for highway labor, who shall omit for the space of six days after demand of him by the collector for such payment, shall forfeit the sum of one dollar on each fifty cents omitted to be paid, which penalty or forfeiture may be sued for in the name of the corporation by the board of trustees, and when recovered shall be used as a part of the fund for the improvement of the streets in said village. The payment of any judgment recovered for such penalty or forfeiture may be enforced in the same manner as other judgments for penalties or forfeitures created by the laws of this state, and when such judgment shall be paid the assessment for the non-payment of which the penalty was incurred shall be thereby extinguished.

§ 38. The board of trustees shall act as inspectors of ^{Inspectors of election.} elections at all corporation elections; they shall receive all ballots, and pass upon the qualification of voters at any and all corporation meetings and elections; they shall have control of the cemetery grounds belonging to the corporation, and shall sell and convey for burial purposes such portions thereof as they shall deem proper.

§ 39. The said corporation is hereby declared to be, ^{Title to land of corporation.} and is hereby vested, of a good and valid title to all lands heretofore in form conveyed to said corporation of an estate equal to that purporting to have been conveyed by the deeds of conveyance to said corporation.

§ 40. All former acts and parts of acts relating to said village, are hereby repealed, but such repeal shall not ^{Former acts, &c.} affect any act done, right or privilege granted or vested, or institution created previous to this act taking effect; and all officers elected or appointed prior to this act taking effect, shall continue in office until the expiration

of their respective terms of office, so far as such tenure may be consistent with this act. Provided that the terms of such officers which, according to the acts now in force, expire at the annual meetings of said corporation, to be held in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, and expire in those years respectively, at the times of the annual meetings, as herein appointed to be held.

§ 41. The corporation hereby created shall be subject to the provisions of the third title of the eighteenth chapter of the first part of the revised statutes.

§ 42. The legislature may at any time modify or repeal this act.

§ 43. This act is hereby declared a public act, and shall take effect immediately.

Chap. 83.

AN ACT in relation to the auditing of accounts by the board of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess, Steuben, and Niagara, and the duties of certain officers of said county in connection therewith.

Passed March 26, 1861, three-fifths being present.

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

SECTION 1. The supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, and Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess, Steuben and Niagara, by their clerks, shall provide boxes with suitable inscriptions thereon, and with openings in the top to be kept in the offices of the clerks of said counties and in their charge under lock and key, in