

File No. 10103 Continued.

OPINION.

immediately follows, in which it is stated that they (the Council) may so arrange their sittings that the same may be held continuously or otherwise.

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Section 217 of the City Charter also throws additional light on the question and supports the interpretation claimed by me for the word "session". The second clause of said Section provides, as follows:

"The First Branch shall appoint its own President, who shall preside at all its sessions, and shall vote on all questions x x x x x".

Manifestly, the word "sessions" is here used in the sense of sittings.

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Turning now to Section 221, the apparent object of the provision already quoted, was merely to prevent hasty legislation, and to secure a reading of an Ordinance on three different days in each Branch of the Council, on which the Branch should be legally sitting, and this object is fully accomplished by interpreting the words used in the manner indicated by me.

The interpretation, which I am placing upon the word "session" is, moreover, supported by the case of *People vs. Powell*, 14 Abb. Pr. pp. 91-93, and *Farwell vs. Mathews*, 48 Fed. Rep. 364, where it is stated that the literal signification of the word "session" is "sitting".

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I might also add, as bearing most significantly upon this matter, that, at no time, since the new Charter went into effect in 1898, has there been any attempt made by either Branch of the City Council to reorganize on the Thursday next after the third Monday of May of any year, except where the term of the members of the First Branch have expired, or to recognize in any way that one session had come to an end, and a new session had begun. All unfinished business has invariably been taken up and disposed of as though there had been no interruption, and if the point suggested by Messrs. Story, Thorndike, Palmer and Thayer is well taken, the effect would be that a great amount of important legislation enacted by the City Council dur-