

THE
STATUTES OF CALIFORNIA,

PASSED AT THE
TWENTIETH SESSION OF THE LEGISLATURE,
1873-74,

BEGAN ON MONDAY, THE FIRST DAY OF DECEMBER, EIGHTEEN HUNDRED
AND SEVENTY-THREE, AND ENDED ON MONDAY, THE THIRTIETH DAY
OF MARCH, EIGHTEEN HUNDRED AND SEVENTY-FOUR.



SACRAMENTO:
G. H. SPRINGER, STATE-PRINTER.
1874.

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CHAPTER DCLXXVII.

An Act to amend and revise an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, A. D. eighteen hundred and sixty-eight, and the several Acts amendatory thereof and supplementary thereto, and for other purposes.

[Approved March 30, 1874.]

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

[SECTION 1.] Section one of said Act is hereby amended to read as follows:

Corporate
name.

Section 1. The Town of Redwood City, in the County of San Mateo, State of California, shall be a body corporate and politic in name and in fact, by the name of the Town of Redwood City, and by that name shall have perpetual succession, may sue and defend in all Courts and places and in all matters and proceedings whatever, and may have and may use a common seal, and the same may alter at pleasure, and may purchase, receive, hold, and enjoy real and personal property, and may sell, convey, mortgage, and dispose of the same for the common benefit. All streets and alleys laid down on the several maps of survey of said town, on file in the County Recorder's office of said county, that have been dedicated to public use, or which shall hereafter be dedicated to public use, are hereby declared to be open public streets and alleys. All public squares or grounds laid out and dedicated to public use, appearing upon the maps of said town above mentioned, and squares and grounds that shall hereafter be laid out and dedicated to public use, are hereby declared to be vested in the town for such public use.

Public
streets and
grounds.

Boundaries

SEC. 2. The boundaries of said Town of Redwood City shall be as follows: Beginning at a point in the center of section seventeen, township five south, of range three west, Mount Diablo meridian; thence running west, following the quarter section line to and through the center of section eighteen, township and range above mentioned, to a point where the northerly line of Seventeenth street, if extended, would intersect said quarter section line; thence in a straight line to the northerly line of Seventeenth street, and thence continuing on said line to its intersection with the easterly line of the San Francisco and San José county road; thence along the easterly line of said county road to its intersection with the northwesterly line of the lands of John O. Earl; thence along the northwesterly line of said Earl's land, in a northeasterly direction, to the southerly line of the lands of Myles D. Sweeney; thence northerly across the lands of Myles D. Sweeney, intersecting with quarter section line dividing the fractional southeast and southwest quarters of said section seventeen at a point where said quarter section line intersects the patent line of the Pulgas Ranch; thence north, following said quarter section line to the center of said section seventeen, the place of beginning.

SEC. 3. The government of said town shall be vested in a Board of Trustees, consisting of five members, a Marshal, Assessor, Treasurer, and Police Justice; and such other officers as are hereafter authorized to be appointed by said Board of Trustees.

SEC. 4. There shall be an election held in said town on the first Monday in May, A. D. eighteen hundred and seventy-four, and each succeeding year thereafter, at which election there shall be elected by the qualified electors of said town, Trustees, a Marshal, Assessor, Treasurer, and Police Justice, who shall hold their terms of office as hereinafter provided. Said election shall be held and conducted according to the election laws now and hereafter governing general elections. No person shall be allowed to vote at any election in said town unless he be qualified by the laws of the State, nor unless he be at the time he offers his vote a bona fide resident of said town for at least thirty days prior to said election; and any person voting or attempting to vote who is not legally qualified, shall be liable and punished in the same manner as illegal or fraudulent voting is punished by the laws of this State. The Trustees shall cause at least twenty days' notice to be given of elections, by posting notices in three or more public places in said town, or by publication in any newspaper, and shall appoint one Inspector and two Judges, who shall appoint two Clerks of said election. The Inspector, Judges, and Clerks shall each take an oath, which may be administered by either of said Judges or Inspector, to truly and faithfully perform the duties as officers of said election. Should those appointed by the Board to act as Judges and Inspectors fail or refuse to act, others may be appointed by the electors present at the polls, and any person so appointed shall certify to the returns of said election, and said certificate shall be of the same effect as if made by those appointed by said Board of Trustees. All election returns shall be certified to by the officers conducting the election, and returned to the Clerk of the Board of Trustees under seal, who shall retain the same in his custody until the Board of Trustees meet to canvass the same, when he shall open the said returns in the presence of said Board. The Board of Trustees shall meet on the next Monday succeeding the election and canvass the returns; and the persons having the highest number of votes for any office voted for shall be declared elected. Should two or more persons voted for for the same office have an equal number of votes, the Trustees shall order a new election for said office at any time within ten days, upon five days' notice previously given in the manner hereinbefore provided. The Clerk of the Board shall issue certificates of election, with the oath of office indorsed thereon, to officers declared elected by the Board of Trustees, and the persons so elected shall, before entering upon the duties of their office, take and subscribe an oath on their certificate of election, which shall be filed in the office of the Clerk of said Board, to support the Constitution of the United States, the Constitution of the State of California, and to faithfully perform the duties of such office. The Assessor, Treasurer, Marshal, Police Justice, and the officers hereinafter named, shall

Elections.

Electors.
Notice and officers.

Returns and canvass.

Certificates, qualifications, and bonds.

each file a bond with sufficient sureties, in such amount as the Board of Trustees shall, by ordinance, require.

Trustees. SEC. 5. The Trustees shall hold their office for the term of three years, and until their successors shall be elected and qualified; *provided*, the next Board of Trustees elected under this Act shall so classify themselves when they organize as a Board, that two of them shall hold office only for one year, and two of them for two years, so that thereafter, at each general election for town officers, there shall be two members of the Board of Trustees elected, except every third election, there shall be only one Trustee elected. All vacancies in the office of Trustee shall be filled by a special election, which the Board of Trustees shall call for that purpose, which shall be held and conducted in manner provided in section three of this Act. All other vacancies in office shall be filled by appointment by the Board of Trustees. The Marshal, Assessor, and Treasurer shall hold office for the term of one year, and until their successors are elected and qualified. The Trustees shall enter upon their duties on the third Monday of May subsequent to their election. Officers appointed by the Board of Trustees, as hereinafter provided for, shall take the oath of office as required in section four of this Act, and hold office during the pleasure of the Board.

Vacancies.

Other officers.

Organization, meetings, etc. SEC. 6. The Board of Trustees shall organize by electing one of their members Chairman, who shall preside at all meetings of the Board, and some competent person as Clerk, who shall keep a correct journal of their proceedings, and perform such other duties as the Board shall, by order or ordinance, require. The Board shall hold regular meetings for the transaction of business on the third Monday of each month, and may adjourn their meetings from day to day until all business coming before them is completed. All meetings of the Board shall be public; a majority of the Board shall constitute a quorum to do business; a less number may adjourn from day to day and may compel the attendance of absent members by such process and under such penalties as the Board shall, by ordinance, enact. They shall establish rules for their government, punish any member or other person for disorderly conduct in their presence when in session, keep a journal of their proceedings, and at the request of any member, the Clerk shall record the ayes and noes upon any question voted upon. In all cases three affirmative votes shall be necessary to carry a measure.

Powers of Board of Trustees. SEC. 7. The Board of Trustees shall have power, within the limits of said time:

First—To make by-laws and ordinances not repugnant to the Constitution and laws of this State.

Second—To purchase, or receive by donation, and hold real estate and personal property, water rights, and privileges necessary for supplying a sufficient quantity of pure fresh water for the use of the inhabitants of said town and the extinguishment of fires, whether said real estate, personal property, water rights, and privileges are situated within or without the limits of said town; to construct reservoirs, aqueducts, lay water pipes, and do and perform all other acts and things within or without the limits of said town necessary in the premises.

Third—To condemn lands necessary for water rights and Same. privileges, for the purpose of supplying the inhabitants of said town with pure fresh water; and shall have power, in the name of said town, to institute and maintain condemnation proceedings in Courts of justice, in the same manner provided by law for condemnation of lands for water rights and privileges as are provided by law for incorporated water companies, and to permit the laying down of street railroad tracks, water and gas pipes within the limits of said town.

Fourth—To lay out and alter and open new streets and alleys, establish the grade and width of roadway of streets and alleys, and the grade and width of all sidewalks on all streets and alleys of said town, and to condemn lands necessary for such purposes.

Fifth—To order the whole or any portion of said streets or alleys graded or regraded to the established grade, macadamized or remacadamized, paved or repaved, and to order sidewalks, sewers, cesspools, manholes, culverts, curbing, and crosswalks to be constructed therein, and to order any other work to be done which they may deem necessary to make or complete the whole or any portion of said streets or alleys, sidewalks, sewers, cesspools, manholes, culverts, curbing, and crosswalks, or for the preservation thereof by sprinkling or otherwise; *provided*, the Board shall not have the power to order any street or alley, or portion thereof, to be paved or macadamized, or to order sidewalks constructed of a greater width than six feet, without a petition being presented therefor, signed by the owners or agents of at least a majority of the front feet of the lots and lands fronting thereon.

Sixth—To levy and assess and collect a pro rata front-foot assessment upon the lots and lands fronting upon any street or alley in said town, sufficient for the improvement or repair of the same, or for the preservation thereof by sprinkling or otherwise.

Seventh—To levy and collect annually, not to exceed one per cent on the assessed valuation of all property, both real and personal, within the limits of said town.

Eighth—To impose and collect a poll tax of not exceeding one dollar per annum, upon every male inhabitant of said town of the age of twenty-one years and upwards.

Ninth—To impose and collect a tax of not exceeding five dollars per annum, upon the owner of every dog kept within the limits of said town.

Tenth—To appoint an Inspector to examine and inspect all fire furnaces, stoves, stovepipes, and flues, and to provide such means as they may deem necessary to protect the town from injuries by fire.

Eleventh—To provide for lighting the streets of said town.

Twelfth—To appoint a Board of Health and health officers, to prevent the spread of contagious diseases, and to define their powers and duties.

Thirteenth—To establish a police force, and fix their compensation and regulations necessary to preserve the peace and quietude of the inhabitants of the town, and fix amount of fines

Same. and punishments for violation of the laws and ordinances of said town.

Fourteenth—To take charge of, improve, and keep in order and repair, the public squares and property of said town.

Fifteenth—To prevent animals from running at large upon the streets and commons of said town.

Sixteenth—To appoint a Poundmaster, and fix his fees and compensation as such, and define his duties.

Seventeenth—To appoint a Superintendent of Streets, and define his duties.

Eighteenth—To impose and collect a license tax upon all persons doing business within the limits of said town who are liable to pay a county license under the laws of this State, not exceeding the rate imposed by law for county licenses, and issue licenses therefor; and all licenses collected from persons doing business within said town, shall be paid into the Town Treasury by the License Tax Collector, for town purposes; and all persons paying such license shall be exempt from paying a county license.

Nineteenth—To issue bonds upon the faith and credit of the town, or borrow money for the purpose of making public improvements in said town, or for the purpose of supplying the inhabitants thereof with water; *provided*, that the Board of Trustees shall not have power to issue any bonds, or borrow any money, or create any debt or liability against the town for any purpose whatever, without first calling an election, upon at least thirty days' notice, by publication in a newspaper, and posting notices in at least three public places in said town, submitting the proposition to the qualified electors of said town at such election, to issue bonds of the town, or borrow money upon the faith and credit of the town; which notice of said election shall state what kind of improvement is proposed to be made, the amount of bonds proposed to be issued, or money borrowed for such purpose. Such election shall be conducted in all respects as hereinbefore provided for holding elections. The ballots used at such elections shall have written or printed thereon: "For issuing bonds or borrowing money—Yes." "For issuing bonds or borrowing money—No." The Board of Trustees shall meet, within three days after such election, open and canvass the returns thereof, and if it shall appear from said election returns that a majority of all the votes cast are in favor of issuing bonds or borrowing money as proposed in said proposition, they shall, by an order entered in the journal of their proceedings, declare the proposition carried; but if a majority of all the votes cast shall be against such proposition, they shall declare it defeated, and no further proceedings shall be had until another election is called. If the proposition to issue bonds or borrow money on the faith and credit of the town is carried by a majority of all the votes cast at such election, and after it is so declared by the Board of Trustees, the Board of Trustees shall have power to issue bonds or borrow money upon the faith and credit of the town, to the amount stated in the proposition submitted and voted upon at such election; *provided*, that no bonds issued or money borrowed shall bear a greater rate of interest than ten per cent per annum.

Said bonds shall be issued in the amount of one thousand dollars each, payable to bearer in five, ten, fifteen, or twenty years after date, as the Board of Trustees, by order, shall determine, with interest coupons attached. All bonds or obligations shall be signed by the Chairman of the Board of Trustees, attested by the Clerk, with the seal of the town affixed. The Board shall have power to levy and collect annually, at the time and in the manner of levying and collecting other taxes for town purposes, a sufficient rate of tax upon the taxable property of said town to pay the interest accruing on all the bonds issued or money borrowed, and to provide a Sinking Fund sufficient for the final redemption of all outstanding bonds or indebtedness against said town, at maturity. Same.

Twentieth—To make and enter into all contracts necessary on the part of said town for the improvement or repairs of streets, public grounds, buildings, or other property of said town, and for the execution of any power herein conferred, and to pass all ordinances necessary to carry the foregoing powers into effect.

SEC. 8. Upon receiving a petition for the opening of any new street in said town, or for such an extension or alteration of any existing street, lane, or alley, as will require the taking of private property therefor, the Board of Trustees shall determine, by resolution, whether or not, in their judgment, such proposed new street extension or alteration is one that ought to be made, and if they shall decide this proposition in the affirmative, that such proposed improvements shall be made, they shall, by resolution, fix, determine, and specifically describe the private property necessary to be taken therefor, and shall also fix, determine, and specifically describe the exterior limits of the property, which, in their judgment, will be benefited by such improvement, and which shall be assessed for the cost thereof. They shall then apply to the County Court of said county, in term or vacation, by petition, reciting all the proceedings had in the premises, and giving the descriptions so fixed and determined by them, of property to be taken and of property to be assessed, with a map annexed thereto, showing the same, for the appointment of three Commissioners, to assess the compensation which shall be paid to the owners thereof for the property sought to be taken for such public use, and to assess upon the property within the district to be benefited thereby, the cost of such improvement. Upon the filing of such petition, the Judge of said Court shall, by order, fix a day for the hearing thereof, which may be in term time or vacation, but shall be not less than twenty nor more than thirty days from the date of such order; and thereupon, notice shall be given of such application, and the time and place fixed for the hearing thereof, by the Clerk of said Court, by publication in some newspaper printed and published in said town, for a period of not less than two weeks before said day of hearing. At the time fixed in such order, or at such other time as the hearing may have been adjourned to, the Court shall hear any of the parties interested, touching the regularity of the proceedings, and if satisfied that the proceedings have been regular, and that due notice has been given, as herein required, it shall, Proceedings to open street.

Same.

by order, appoint three competent and disinterested persons Commissioners, for the purpose herein provided. The Commissioners so appointed shall subscribe and file with the Clerk an oath faithfully and impartially to perform the duties assigned them, and prescribed in this section, and shall thereafter proceed to and make in writing an exact description of each separate piece of property necessary to be taken for public use for the improvement so to be made, and to fix, determine, and assess the compensation which shall be paid therefor. They shall also ascertain, determine, and report as near as may be the entire costs of all proceedings had, or to be had, in and about the proceedings for the opening, extension, or alteration aforesaid, including the costs of Court and of the Commissioners. They shall then assess upon the property within the district to be benefited, the entire costs of such proceedings, including the compensation so allowed for the property to be taken, assessing each lot in proportion to the benefit it will receive therefrom, and in so doing shall make out a full and complete description of each separate lot, with a statement of the amount assessed against it set opposite thereto. Such determination of compensation, and of costs and assessment, shall be embodied in a report signed by such Commissioners, and filed in the Court, and thereupon the Court shall fix a day when the hearing upon such report shall be had, of which the Clerk shall give two weeks notice by publication in the manner and form aforesaid, and at such hearing the Court shall hear any of the parties interested, upon any question touching the regularity of proceedings, the sufficiency of compensation awarded, or the justice or equality of the assessment, and may affirm said report or set the same aside, or remand the same for correction or alteration in any particular. If the report be set aside the matter may be in like manner referred to the same, or new Commissioners, who shall proceed as if no commission had been before appointed; if it be remanded it shall be corrected or altered in any particular required by the Court, and when a report has been finally made, which the Court upon a hearing had, as herein provided, finds to be regular, just, and equal, it shall affirm the same and enter final judgment, appropriating to the public use therein named the property so to be taken, and which shall be in such judgment specifically described, upon payment of the compensation so awarded therefor, and also against each separate piece of property so benefited by the such improvement, for the amount assessed against the same. Any party aggrieved thereby may appeal from said judgment to the Supreme Court, as in other cases. The judgment of assessment so made shall be a lien upon the property against which such assessment is made, and if not paid within sixty days after the judgment becomes final, may be enforced by sale, to be made by the Sheriff of said county, under a certified copy of such judgment, and in the manner provided by law for the sale of property upon decree of foreclosure. The Court shall, in such instance, in its own judgment, or if the matter be at the time in dispute, then by subsequent order and judgment, in the case, determine to whom the compensation awarded for property taken shall be paid; and at any

time after entering the judgment of appropriation, upon filing Same. for record in the office of the County Recorder of a copy of such judgment, with an acknowledgment of payment of the award made, by the party in whose favor the award was made, or of the County Clerk, that the amount has been paid into Court, the Board of Trustees shall be authorized to take possession of such property, and to appropriate the same to the public use aforesaid. Commissioners appointed under this section shall be allowed their necessary expenses, and such compensation as may be fixed by the Court, and if after payment of the compensation for the property taken, and all costs of proceedings had hereunder, any money should be left out of the fund raised by assessment hereunder, the same shall be used for the improvement of the street so opened, extended, or changed, and not otherwise.

SEC. 9. Whenever the Board of Trustees order any street or alley, or portion of the same, to be graded, paved, or macadamized, or any sidewalk to be constructed thereon, sewer or culvert therein, or any other improvement whatever in and about any street or alley as authorized by subdivision five of section seven, they shall cause to be drawn up plans and specifications for said improvement or repairs of whatsoever kind or nature, and cause the same to be entered in the journal of their proceedings, specifying the kind and quality of material to be used with particularity, and furnish the Superintendent of Streets with a certified copy thereof, which shall be his authority for the execution of said improvement or repairs. They shall estimate the cost of such improvement or repairs so ordered to be made, including the per diem or compensation of said Superintendent, and levy an assessment pro rata per front foot upon the lots and lands fronting upon such street or portion of such street or alley to be improved or repaved as aforesaid, and deliver a certified copy of said assessment to the Tax Collector, which shall be his authority for collecting the same, which assessment shall become a lien upon the lots and lands so assessed, until paid. Each lot or subdivision of lot shall be separately assessed in the name of the owner, if known, and if the name of the owner is not known, to an unknown owner. Each lot must be described by street, number, block, and range, when practicable, showing the rate per front foot, and the total amount of assessment; and in case the amount so assessed is insufficient to pay the entire cost and expense of any such improvement or repairs, the Board shall levy an additional assessment, as above provided, to meet such deficiency; and in case there shall be any surplus money left of any assessment, above provided for, after paying all costs and expenses of any such improvements, it shall remain in the Treasury, to the credit of the street or alley upon which it was assessed, and be afterwards used for the improvements or repairs of such street when required; and no moneys raised by an assessment upon one street shall ever be used or applied in any other manner or for any other purpose than for the improvement or repairs of the street or alley assessed therefor.

Grading,
paving, etc.

Sprinkling
streets.

SEC. 10. When the Board of Trustees deem it necessary, for the preservation of any street or portion thereof, to water or sprinkle the same during the dry season, they may let and make contracts therefor, and assess the cost thereof pro rata to the lots and lands fronting on any such street or alley, or portion thereof, watered or sprinkled, and make such assessment payable by monthly installments; and any assessment so made, in the manner provided in section nine, shall be a lien on the lots and lands so assessed until paid; *provided*, that all contracts for watering or sprinkling streets shall be let to the lowest responsible bidder, after at least five days notice being given in such manner as the Trustees shall order.

Equaliza-
tion.

SEC. 11. The Board of Trustees shall each year, between the first Monday of and the fifteenth day of September, after giving ten days previous notice by posting in three public places in said town, or publication in a newspaper, sit as a Board of Equalization, to hear and determine all complaints and equalize the assessment roll, and as such Board of Equalization, shall proceed in the same manner and be governed by the same laws, rules, and regulations governing Boards of Supervisors in equalizing State and county assessments; and as soon as they shall have completed the equalization of the assessment roll, they shall levy a tax upon the taxable property of the town for current expenses thereof, not exceeding one dollar on every one hundred dollars value for any one year, and a poll tax not exceeding one dollar per head upon each male inhabitant of said town of the age of twenty-one years and upwards; also a tax upon the owner or keeper of every dog owned or kept within the limits of said town, of not exceeding five dollars per head for every one year.

Levy of
tax.

Tax roll.

SEC. 12. As soon as the assessment roll is equalized, the Clerk shall commence and carry out the amount of taxes opposite each assessment, and shall complete the same on or before the first Monday in October, and deliver said assessment roll to the Tax Collector, charging him with the gross amount of the taxes appearing thereon.

Marshal.

SEC. 13. The Marshal shall be Chief of the police department, preserve order, arrest or cause to be arrested, persons committing public offenses in his presence, or disturbing the peace, execute or cause to be executed all warrants of arrest issued by a magistrate, placed in his hand for that purpose. The Marshal shall be ex officio Tax Collector, and as such shall be vested with the same power and authority conferred on Tax Collectors of State and county taxes, and shall be governed by the laws of this State now or hereafter in force, except in so far as his duties shall be regulated or modified by ordinance. He shall keep a true and accurate account of all moneys collected by him, and from what source and what account received, and report the same to the Treasurer on the first Monday of each month, which report shall be duly verified under oath. He shall give a receipt for all taxes or assessments, showing a description of the property, to the party paying the same.

Assessor.

SEC. 14. It shall be the duty of the Assessor to assess all taxable property within the limits of said town, between the first Monday of June and the first Monday of September in each

year, and in making such assessments he shall be governed by the same laws, rules, and regulations now or hereafter applicable to County Assessors for State and county taxes, and shall deliver the assessment roll to the Board of Town Trustees on the first Monday of September, but may afterwards add any additional assessment therein, which may have been omitted, or correct any error made by him in making up the assessment roll, and perform such other duties pertaining to his office as the Board of Trustees shall by ordinance enact.

SEC. 15. It shall be the duty of the Treasurer to receive, Treasurer. safely keep, and disburse all moneys and revenues of said town, and only disburse the same in payment of legal and proper claims against the town, or for the improvement or repairs of streets of said town, upon warrants drawn therefor by order of the Board of Trustees, signed by the Chairman, attested by the Clerk, with the seal of the town affixed thereto. Said warrants shall distinctly specify the nature of the demand, when it accrued, on what account, and the Fund out of which it is payable. All warrants drawn upon the Town Treasury shall be paid in the order of presentation, if there is money in the Fund sufficient therefor; if not, it shall be indorsed "Not paid for want of funds," with the date of presentation, signed by the Treasurer, and registered in a book to be kept by him for that purpose, and afterwards paid when the Fund is supplied, in the order of its presentation. Each warrant shall be numbered consecutively, commencing on the third Monday of May of each year. The Treasurer shall keep a separate account of all receipts and disbursements, and of the Fund to which they belong; also keep separate account of the funds assessed and collected of each and every street, portion of street, or alley, and shall only pay out the funds collected by assessment upon such street, portion of street, or alley, upon warrants drawn, as above provided, against the Fund belonging to such street, portion of street, or alley. The Treasurer shall make a monthly report, showing the financial condition of the Treasury, which report shall specify the amount of money therein to the credit of each Fund, the number and amount of unpaid warrants outstanding, and out of what Fund payable. The Treasurer shall be liable on his official bond for any illegal use or appropriation of any of the funds received by him as such, and shall be liable to prosecution in the same manner, and subject to the same penalties applicable to County Treasurers. He shall not deposit any of the moneys belonging to the Treasury of said town, intrusted to him, with any person, bank, trust company, corporation, or association, or use or let the same in any manner, except in the payment of warrants, as above provided, except he may deposit the same in any bank for safe keeping, by an order of the Board of Trustees, but not otherwise.

SEC. 16. The Street Superintendent shall execute all orders Street Superintendent. of the Board of Trustees placed in his hands for the construction or repairs of streets or alleys, sidewalks, or other improvements on the streets or alleys, or public property of said town, of whatever kind or nature. He shall keep the streets, gutters, drains, sidewalks, public squares and grounds, of said town,

Same.

free and clear of obstructions. He shall keep a strict account of all street work done by him or under his supervision, keeping an account of all labor, materials used, and the cost thereof, upon each street or alley, and record the same in a record book, which he shall keep for that purpose; and upon the completion of each and every improvement or repairs ordered by the Board upon any street or alley, he shall render a detailed report, duly verified under oath, to the Board of Trustees, at their first regular meeting after the completion of said improvements or repairs. He shall have power to employ a competent surveyor, to ascertain and establish the line of any street or alley, grade of street or sidewalk, culvert, sewer, or drain; and the compensation of such surveyor shall be allowed by the Board, and payable out of the General Fund. The Superintendent shall perform such other duties as the Board of Trustees shall, by order or ordinance, require.

Culverts,
sewers,
bridges,
etc.

SEC. 17. Any culvert or sewer now, or that shall hereafter be constructed, leading from the side of any street into the slough, necessary for the purpose of draining said streets, shall be a charge upon the property fronting on said street drained thereby, and the cost and expenses of keeping such culvert or sewer in repair, shall be assessed and collected in the same manner provided in section nine of this Act. The expense of constructing or keeping in repair any bridge across the Main Slough, or either branch thereof, within the limits of said town, shall be paid out of the General Fund. No street improvement or repairs provided for in section seven, subdivision five, or any other kind of improvement mentioned in subdivision five, section seven, or repairs, shall ever be a charge against the General Fund of said town, but all such work shall be paid for by a front foot assessment, as provided in section nine of this Act; *provided*, the Board shall have power to pay one fourth of the cost of macadamizing any new street or alley, out of the General Fund of the town.

Police
Justice.

SEC. 18. The Police Justice shall have the same jurisdiction and powers conferred upon Justices of the Peace by the laws of the State, both in civil and criminal cases, within the limits of said town. He shall have jurisdiction of all actions arising out of the laws and ordinances of said town within the limits of the Constitution of this State. All judgments and proceedings had in the Police Justice's Court shall be of equal validity and received in all Courts and places as judgments and proceedings of Justices of the Peace under the laws of this State.

Fees.

The Police Justice shall be entitled to charge and collect the same fees allowed Justices of the Peace in said county; *provided*, that he shall not be allowed or paid any fees out of the Town Treasury. All fines imposed by him and collected shall be paid into the Town Treasury, which shall constitute a Fee Fund, out of which the Police Justice, Marshal, and police shall be paid the fees allowed by law in criminal cases. Any excess of said Fund at the expiration of the term of office of the Police Justice, may be transferred to the General Fund. The Police Justice shall hold his office for two years, and until his successor is elected and qualified.

SEC. 19. The Trustees shall not receive any compensation Salaries. for their services; the Marshal shall receive a salary of two hundred dollars per year; the Assessor shall receive a salary of one hundred dollars per year; the Treasurer shall receive a salary of fifty dollars per year; the Clerk of the Board shall receive a salary of three hundred dollars per year—payable out of the General Fund. The Street Superintendent shall receive for his services, when actually employed in the performance of his duties under the orders of the Board, such compensation as the Board of Trustees shall allow, payable out of the Street Assessment Fund, upon which he performs such service, not exceeding three dollars per day, when actually employed as such.

SEC. 20. All persons neglecting or refusing to pay their street assessments, after receiving notice, shall be liable therefor in any Court of competent jurisdiction, and for costs and counsel fees in such amount as the Judge of the Court trying the cause shall allow, and the judgment shall be a lien on the lot or land assessed, and foreclosed and sold subject to redemption, in the same manner as mortgaged property in civil cases. All street work or improvements of any kind done in front of the County Court House grounds, shall be apportioned and assessed to the county, the same as an individual, and allowed by the Board of Supervisors, and audited and paid out of the County Treasury.

SEC. 21. All Acts and parts of Acts relative to the incorporation of said town, not embodied in this Act, are hereby repealed. This Act shall take effect and be in force from and after its passage.

CHAPTER DCLXXVIII.

An Act to legalize certain proceedings in Reclamation District Number One Hundred and Twenty-four.

[Approved March 30, 1874.]

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

SECTION 1. Reclamation District Number One Hundred and Localized. Twenty-four, as formed by the Board of Supervisors of Colusa County, is hereby legalized and made valid.

SEC. 2. This Act shall take effect immediately.

CHAPTER DCLXXIX.

[See volume of Amendments to the Codes.]