

THE
STATUTES OF CALIFORNIA,

PASSED AT THE

TWENTY-SECOND SESSION OF THE LEGISLATURE,

1877-8.

BEGAN ON MONDAY, DECEMBER THIRD, EIGHTEEN HUNDRED AND SEVENTY-
SEVEN, AND ENDED ON MONDAY, APRIL FIRST, EIGHTEEN
HUNDRED AND SEVENTY-EIGHT.



SAN FRANCISCO:
A. L. BANCROFT & COMPANY,
LAW BOOK PUBLISHERS, BOOKSELLERS AND STATIONERS,
1878.

vided, shall, with and under the direction of the Chief of Police, perform the police duty of said town.

Election. SEC. 3. The officers named in the preceding section shall be elected by the qualified electors of said town on the first Monday in May, A. D. eighteen hundred and seventy-eight, and their successors on the first Monday in May of each succeeding year, at an election to be held for that purpose.

Duty of Trustees. SEC. 4. The Board of Trustees shall assemble within ten days after their election and shall choose a President from their number. They shall meet on Tuesday of each week, but special meetings may be called by the Clerk upon the request of two members of the Board, by a written notice delivered personally to each member. All meetings shall be in public. Three members of the Board shall constitute a quorum for the transaction of business, but no ordinance directing any public improvement, or any ordinance or resolution directing the payment of money, shall be valid unless the same is passed by four affirmative votes; and no ordinance of any nature shall have legal force unless it shall receive a majority vote of all members elected or appointed.

Failure to qualify. In case of failure of a member of said Board, or of any officer elected under this Act, to qualify, a new election shall be ordered by said Board to fill the vacancy, upon giving

Vacancy, how filled. twenty days' notice by advertisement in a paper printed and published in said town. In case of death or resignation of any member of said Board, or officer of said town, excepting a Director of the Board of Education, or Superintendent of Schools, or Assessor, such vacancy may be filled by the other

Same. members of said Board, at a regular meeting. In case of vacancy in the office of Assessor, the same shall be filled for the unexpired term by the calling by said Board of an election for said purpose, as in the case of failure to qualify. The Board of Trustees shall keep a journal of their proceedings, which shall always be open to the inspection of any taxpayer of said town, or his legal representative, during the usual business hours of each day.

Trustees, powers of. SEC. 5. The Board of Trustees shall have power:

Streets opened. *First*—To declare any streets now open, or such as may be hereafter opened by any owner of land within said town, to be public streets for the ordinary uses and easements of the public, and not otherwise; *provided*, nothing contained in this subdivision shall be held to apply to the location of the railroad track of the Bay and Coast Railroad Company in said town, which is now constructed, or is being constructed under an ordinance of said town, and which said ordinance is hereby ratified and confirmed, but such ratification and confirmation shall not in any manner alter, change, or affect any pending suit, or the rights of the parties thereto; but said ordinance or its ratification shall not operate as an exclusive franchise to said company.

Improvement of streets. *Second*—To establish the grade of said streets, to provide for the improvement, repair, lighting, and watering the same, and the erection of sidewalks thereon, and the construction of sewers, all in the manner hereinafter provided, and to provide for watering all such streets as shall have

been macadamized, graveled, or improved; *provided*, that no contract for watering the streets of said town shall be for a longer period than one year.

Third—To provide for the prevention and summary removal of all nuisances and all occupations detrimental to the public health, comfort, or safety, and adopt such measures as may be necessary for the preservation of the public health; to suppress all occupations, houses, places, and exhibitions which are against good morals or contrary to public order and decency; to prevent the appearance of any person on any highway or public place in said town in a state of intoxication; to prevent the discharge of any firearm, pistol, or cannon, on any wharves or streets of said town, or on any private property therein, without the consent of the owner thereof; and the discharging of firearms in any part of said town, except upon the marsh lands, is hereby declared to be a misdemeanor; *provided*, nothing herein contained shall apply to shooting in any existing shooting gallery before the first day of March, A. D. eighteen hundred and seventy-nine (1879); and to prevent any noise, disorder, or tumult, to the disturbance of the public peace; to prohibit the sale of intoxicating liquors to all persons under the age of eighteen years; to punish the violation of all ordinances passed by said Board pursuant to law, by a fine not exceeding one hundred dollars, or by imprisonment in the Jail of the County of Alameda, not exceeding three months, or by both such fine and imprisonment. A judgment that the defendant pay a fine may also direct that he be imprisoned until the fine is satisfied, specifying the extent of the imprisonment, which cannot exceed one day for each two dollars of the fine. All prosecutions under ordinances passed by said Board shall be in the name of the people of the State of California.

Fourth—To levy and collect annually a tax not exceeding seventy cents on each one hundred dollars of the assessment valuation of all property, both real and personal, within said town, which tax shall be divided as follows: For the Street Sprinkling Fund, not exceeding ten cents on each one hundred dollars; for the School Fund, not exceeding thirty cents on each one hundred dollars; for the General Fund, not exceeding thirty cents on each one hundred dollars. All percentages and fees provided to be collected under this Act, in the collection of delinquent taxes, shall be paid into the General Fund. All fines collected in said town, over and above the payment of expenses of prosecution, shall be paid into the School Fund. The School Fund shall be used only for the payment of the salaries of teachers and the necessary expenses of the public schools, including necessary repairs of school buildings. Each of said funds shall be kept separate from any other. No road tax shall be collected in said town for the use of the County of Alameda.

Fifth—To license, tax, and regulate all lawful trades and occupations, and all moneys derived from such licenses shall be paid into the School Fund of said town.

Sixth—To establish a public pound and a Pound-keeper, and prescribe his duties, and to provide for the proper care

Nuisances.

Immoral exhibitions.

Tax levied.

Licenses.

Pound-keeper.