

THE

STATUTES OF CALIFORNIA,

PASSED AT

The Third Session of the Legislature,

BEGUN ON THE FIFTH OF JANUARY, 1852, AND ENDED ON
THE FOURTH DAY OF MAY, 1852, AT THE CITIES
OF VALLEJO AND SACRAMENTO.

PUBLISHED BY AUTHORITY.

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1852.

CHAPTER XCVIII.

AN ACT

To provide for the Incorporation of Water Companies.

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

SEC. 1. The provisions of Chapters one and five of the Act entitled "An Act concerning Corporations," passed April twenty-second, one thousand eight hundred and fifty, shall extend to and apply to all associations already formed or hereafter to be formed under said Act, for the purpose of supplying any cities or towns in this State, or the inhabitants thereof, with pure and fresh Water.

Former Act amended.

SEC. 2. Any company incorporated for the purposes specified in the preceding Section, shall have the right to purchase or take possession of, and use, and hold, such lands and waters as may be required for the purposes of the Company, lying without the limits of the city, intended to be supplied with water, upon making compensation therefor. The mode of proceeding to obtain possession of such lands for the use of the Company, in cases where the parties cannot agree upon a purchase for the use of the Company, shall be the same as prescribed in Sections seventeen and eighteen of "An Act to provide for the Incorporation of Railroad Companies," passed April twenty-eight, one thousand eight hundred and fifty-one.

Powers of Water Companies.

To take possession of land.

The same as Rail Road Companies.

SEC. 3. This Act shall not give to any Company a right to supply any city with water, unless it shall be previously authorized by an ordinance, or unless it be done in conformity with a contract entered into between the city and the Company; any contracts hereafter so made, shall be valid and binding in law, but shall not take from the city the right to regulate the rates for Water, nor shall any exclusive right be granted by contract, or otherwise, for a term exceeding twenty years.

Supply of cities.

Establishment of Rates, &c.

APPROVED, May 3, 1852.