

THE
STATUTES OF CALIFORNIA,

PASSED AT THE

ELEVENTH SESSION OF THE LEGISLATURE,

1860 :

BEGUN MONDAY, THE SECOND DAY OF JANUARY, AND ENDED ON MONDAY,
THE THIRTIETH DAY OF APRIL.

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PUBLISHED BY AUTHORITY.  
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SACRAMENTO:
CHARLES T. BOTTS, STATE PRINTER.
1860.

tity of lumber as if said crooked logs were straight. No log shall be considered merchantable that is less than sixteen inches in diameter at the small end, or under twelve feet long.

SEC. 3. This act shall take effect from and after its passage. To take effect.

CHAP. CXC.—*An Act to authorize the American River Water and Mining Company to extend their Works to or near the City of Sacramento, for the purpose of Supplying the Inhabitants thereof with pure Fresh Water for Drinking and other Domestic Uses.*

[Approved April 6, 1860.]

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

SECTION 1. The American River Water and Mining Company shall have the right to purchase or to appropriate and take possession of, and to use and hold all lands within the county of Sacramento, and so much of the lands in Placer County as are known as the "San Juan Grant" as are necessary for conveying pure fresh water to or near the city of Sacramento, outside of the city limits of the city of Sacramento, in order to supply the inhabitants of said city with water for drinking and other domestic uses, upon first making compensation for all such lands and upon the further conditions and exactions hereinafter set forth. Conditions of grant.

SEC. 2. The mode of proceeding to appropriate and take possession of such lands, when the parties cannot agree upon the purchase thereof, shall be the same as prescribed in sections twenty seven, twenty-eight, and twenty nine, of an act to provide for the incorporating of railroad companies, passed April twenty-second, A. D. one thousand eight hundred and fifty-three, except. that such proceedings shall be had before the County Judge of the county or city, or the city and county in which such lands may be situated. Said company shall furnish pure fresh water to the inhabitants of said city and the city and county of Sacramento, for family uses, so long as the supply permits, at reasonable rates, and without distinction of persons, upon proper demand therefor, and shall furnish water to the extent of their means to said city, in case of fire or other great necessity, free of charge. The Board of Supervisors of the city and county of Sacramento shall determine the rates to be charged for water, from time to time; *provided*, said rates shall not be reduced lower than the rates charged by the City Water Works, unless by agreement of the parties; and shall have the right to direct the mode and manner of exercising the rights herein conferred, and the mode and manner of discharging the obligations and duties herein imposed, so far as the same relates to the delivery of the water, and to the streets, ways, and alleys, in which said company shall place any of their works within said city. The said Board of Supervisors shall have the right, on paying to said company, in cash, the cost of all necessary water pipes, reservoirs, Manner of proceeding.

Supervisors
may pur-
chase. flumes, or other works, laid down and in use by said company, at or within said city, to take possession of the same; and the rights and privileges herein granted to said company shall thereupon vest in said city. The said Board of Supervisors are hereby empowered to make such other and additional rules and regulations regarding the rights and duties of said company as are not inconsistent with the constitution and laws of this state and the provisions of this act.

Construction
of act. SEC. 3. Nothing in this act shall be so construed as to give the said company the right to appropriate the waters of the American River at any point within the city, or the city and county of Sacramento, so as to prejudice the rights of the riparian owners of lands along said river to the use thereof; or to purchase or appropriate the waters of any ditch, gulch, or ravine, on the line of said company's works, as extended under the provisions of this act, without the consent of the parties owning the same; or to take or appropriate any lands or waters for mining or for any other purpose than as expressly provided for in this act.

To take
effect. SEC. 4. This act shall take effect and be in force from and after its passage.

CHAP. CXCI.—*An Act to authorize the President of the Board of Supervisors, the Auditor, and the Treasurer, of the City and County of San Francisco, to provide for the actual and prospective Deficiency in the Corporation Debt Fund of said City and County, for the Fiscal Year one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty.*

[Approved April 6, 1860.]

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

Loan. SECTION 1. The President of the Board of Supervisors, the Auditor, and Treasurer, of the city and county of San Francisco, are hereby authorized and empowered, for, and on behalf of said city and county, to borrow a sum of money, not exceeding fifty-five thousand dollars, (\$55,000), on the best terms possible, payable in demands on the General Fund of the said city and county, in the order of their registration, as in other cases. Said demands respectively shall express on their face the sum of money loaned, and the rate of monthly interest which said officers shall have agreed to allow for the same, and upon receipt of such sum, said officers shall indorse their approval upon such demands, when the same shall be duly audited, and then presented to the Treasurer, who shall forthwith register them. At the time when the said demands for principal shall become due, and payable in the order of registration, the Treasurer shall give notice thereof to the lenders or their assigns, and the interest accruing on said demands shall thereupon cease, and the same shall then be computed and a separate demand for the amount of interest already accrued shall be forthwith approved by the