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THE

STATUTES OF CALIFORNIA,

PASSED AT THE

NINETEENTH SESSION OF THE LEGISLATURE,

1871-72,

BEGAN ON MONDAY, THE FOURTH DAY OF DECEMBER, EIGHTEEN HUNDRED
AND SEVENTY-ONE, AND ENDED ON MONDAY, THE FIRST DAY OF
APRIL, EIGHTEEN HUNDRED AND SEVENTY-TWO.



SACRAMENTO:
T. A. SPRINGER, STATE PRINTER.
1872.

CHAPTER CCCCXCI.

An Act to provide the City of Sacramento with a better supply of water.

[Approved March 30, 1872.]

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

SECTION 1. The Board of Trustees of the City of Sacramento are authorized, by a majority vote of said Board, to determine the quantity of water required daily for the use of said city, with the pressure per square inch or the height at which it shall be supplied to the distributing pipes, and shall for a period of sixty days, commencing at some time in the month of April next, advertise for plans, detailed specifications, and bids for the machinery and connecting pipes, delivered and set up in working order, for supplying such quantity of water, with the required head or pressure, which advertisement shall be published in two or more newspapers of general circulation in the City of Sacramento and in one published in the City of San Francisco. Each plan shall be accompanied by definite specifications of the manner in which the work is to be accomplished, and a bid for doing the same according to the plan proposed, which bid shall be signed by the bidder and two or more responsible guarantors, that the work will be completed according to plan and specification and delivered over to the Trustees within eight months of the time a contract for the same is signed and delivered.

Determination of quantity.

Advertisement.

Plans and specifications.

SEC. 2. From the plans, specifications, and bids thus received, the Board of Trustees shall select two such as, in their judgment, will best meet the requirements of the city, and shall, for a period of ten days, advertise in a public manner each of said plans, specifications, and bids, with the names of the bidders and their guarantors, in which advertisement they shall set a day, not less than twenty nor more than thirty days from date of such publication, on which the legally qualified voters of said city may vote upon the propositions of creating a debt to provide the city with water and which of the plans selected by the Trustees shall be adopted.

Selection of two plans, and notice of election.

SEC. 3. In submitting the matters named in section two of this Act, the Trustees shall ask the voters to ballot upon the following proposition, to wit: First, "Shall the debt be created?" Second, plainly designating each plan selected as herein provided, "Which plan and bid shall be accepted?" If at such election, or at any other election held under the provisions of this Act, a majority of all the votes cast shall be against the creating the debt, neither plan nor bid shall then be accepted; but if a majority of all the votes cast shall be in favor of creating the debt, that plan and bid shall be accepted which receives at such election the greater number of votes, and in accordance therewith the Trustees shall at once enter into contract with the successful bidder; *provided*, that if a majority of

Propositions to be voted upon.

Provision
for
subsequent
annual
decisions
by vote.

all the votes cast at the election authorized by this Act shall be against creating the debt, the Trustees may once in each succeeding year determine the questions of supply, purchase, or head of water required, advertise for plans, specifications, and bids, select therefrom, and submit to the legal voters of the city the same questions and in the same manner provided in this Act, all the provisions of which shall apply to such elections and all the proceedings had thereon.

Manner of
payment.

SEC. 4. To provide for the payment of the work as it progresses, the Board of Trustees are authorized, if the vote to create the debt shall prevail, to issue in the corporate name of the city certificates of indebtedness, signed by the President of the Board, and countersigned by the City Auditor, and the seal of the city attached thereto, to an amount sufficient to cover the costs of such contract, and such other and further pipes, hydrants, and minor works as in their judgment they may deem necessary, not exceeding in the aggregate one hundred and sixty-five thousand dollars, bearing interest at the rate of ten per cent per annum, payable quarterly on the first day of January, April, July, and October of each year until paid, of which certificates sixteen per cent shall be payable in one year, eighteen per cent in two years, twenty per cent in three years, twenty-two per cent in four years, and twenty-four per cent in five years from the first day of January following the date of their issue. Such certificates shall be in sums not less than five hundred dollars, and shall be paid out for such work as it progresses at par, upon estimates to be made by some competent person to be appointed by the Trustees for that purpose.

Limitation
of cost.

Special
Water-
works
Fund.

SEC. 5. To secure the payment of such certificates, all the moneys received from water rents or for the use of water in said city over and above the expenses of operating such waterworks and keeping the same in repair, are hereby pledged until the whole of such certificates are paid, and shall be paid into a separate Fund, called the Special Waterworks Fund; *provided*, that not less than fifty per cent of the gross revenue derived from such water rents, or for the use of such water, shall be applied to the payment of the principal and interest of such certificates; and should the money accruing to such Fund at any time be deemed by the Trustees insufficient to meet the cost of operating and repairs and the principal and interest on such certificates as they fall due as provided by this Act, they shall annually, after the present year, levy a special water tax on all the taxable property within the limits of said city sufficient to supply such deficiency, which tax shall be levied, assessed, and collected as other city taxes, and shall be paid into the Special Waterworks Fund.

Special
water tax.

SEC. 6. This Act shall take effect from date of its passage.