

shall be the same as that prescribed by law for assessing State and county taxes; and the Assessor shall receive for his services such sum as shall be fixed by ordinance. All assessments made upon real and personal property within the limits of the town by the County Assessor, for roads and school purposes, shall be transferred by the Town Assessor to the town assessment roll, and shall be collected by the Town Tax Collector at the same time and in the same manner as other town taxes are collected, and be paid into the town treasury, and be expended within the town limits for the purposes for which it was collected; and it shall be the duty of the County Assessor to deduct the same from the county assessment roll, and it shall be unlawful for the County Tax Collector to collect any of said taxes.

PAYMENTS IN COIN.

SEC. 27. All taxes, assessments and fines payable to the town treasury, and the costs of the improvements on any sidewalk, street or other town improvement, shall be payable only in gold or silver coin of the United States. Payments in coin.

SERVICES OF TRUSTEES.

SEC. 28. The President of the Board of Trustees shall preside at all meetings of said Board, when he shall be present; and for their services, said Trustees and President shall receive no compensation. Services of Trustees.

STYLE OF ORDINANCE.

SEC. 29. The style of the ordinance of the Town of Brooklyn shall be: "The Trustees of the Town of Brooklyn do ordain as follows." Style of ordinance.

SEC. 30. The Town Trustees are hereby authorized and required to procure the necessary books for the official records of the town. Record books.

SEC. 31. All Acts or parts of Acts, so far as they conflict with the provisions of this Act, are hereby repealed.

SEC. 32. This Act shall take effect and be in force from and after its passage.

CHAPTER CCCCLXXI.

An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda.

[Approved April 4, 1870.]

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

SECTION 1. The Mayor of the City of Oakland is hereby authorized to nominate and appoint five persons as Commissioners, three of whom shall be residents of the City of Oakland Appointment of Commissioners.

and two of them residents of the Township of Alameda, who shall perform the duties hereinafter specified, serving without compensation.

Organization **SEC. 2.** After the appointment of the said Commissioners they shall organize by electing one of their number President and another one Secretary and Treasurer, and a regular record of their proceedings shall be kept, which shall be prima facie evidence in all Courts. They shall proceed to procure plans and specifications for the erection and completion of a swing or draw bridge and roadway across the San Antonio Creek, commencing at the foot of Webster street, City of Oakland, and connecting the Oakland side of the creek with such point on the south side of the same as they may select. The bridge and roadway shall have a width of not less than twenty nor more than thirty feet, and the bridge shall be so constructed that when it is swung it shall leave a clear space of not less than eighty feet for the passage of vessels and steamers. When said plans and specifications are obtained by said Commissioners, they shall invite sealed proposals for the construction of said bridge and roadway, by advertisement in all the daily newspapers published in the City of Oakland and in one daily newspaper published in San Francisco, for a period of thirty days, designating in said notice when and where such proposals shall be presented, and when and where the same shall be opened. At the time and place aforesaid, as specified, said Commissioners shall open said proposals, and unless they shall be of opinion that more favorable proposals can be obtained, shall award the same to the lowest responsible bidder. But in case they shall be of opinion that more favorable proposals can be obtained, then and in that case said Commissioners shall again advertise as hereinbefore directed, and make their award as before directed, with the same discretion as before stated. Every person presenting proposals shall execute a bond in the penalty of two thousand dollars, to the people of the State of California, conditioned that if the contract is awarded to him he will enter into and execute such contract and perform the work according to the specification.

Construction of roadway **SEC. 3.** The contract for the construction of said bridge and roadway shall also provide for the construction of a roadway across the marsh upon the Encinal of San Antonio, to such point as said Commissioners shall select upon the upland, so as to connect with the streets upon said Encinal, and for this purpose shall be authorized to lay out and open a roadway across and over said route, and enter upon and condemn private property under the provisions of the law applicable to railroads, and in the same manner as therein provided; and for these purposes, said Commissioners shall be authorized to institute such suits and legal proceedings as they may deem necessary.

Expense limited. **SEC. 4.** The expense of the construction of said bridge and roadway shall not exceed, in the aggregate, the sum of forty-five thousand dollars, and shall be collected and paid by a special tax upon the property in the City of Oakland and in the Township of Alameda, in the following proportions, that is to say: One half of the cost of said bridge, but not to exceed twelve thousand five hundred dollars, shall be assessed upon the property in the City of Oakland; and one-half the cost of said

Costs, how assessed and collected

bridge and all the cost of said road, the whole not to exceed thirty-two thousand five hundred dollars, upon the property in the Township of Alameda. So soon as the said Commissioners shall have ascertained the total probable cost of such bridge and roadway, by having made a contract or contracts in proper form with responsible parties for the construction of the same, they shall add to such cost the incidental expenses of such proceedings, including cost of publication, of plans and specifications and other unavoidable expenses, all of which incidentals shall not exceed the sum of five hundred dollars; and said Commissioners shall certify one-half the aggregate cost of said bridge, not to exceed twelve thousand five hundred dollars, to the City Council of the City of Oakland, who shall apportion the same upon the taxable property, in said city by fixing the rate per cent., or in any other mode, in their discretion, and provide by ordinance for the collection of the same in the same manner as other city taxes are collected; such taxes shall be collected by the officer authorized to collect city taxes, and shall be paid by him into the hands of the Treasurer of said Commissioners. The said Commissioners shall in like manner certify the other half of such cost of said bridge and all the cost of constructing said road, not to exceed thirty-two thousand five hundred dollars, to the Board of Supervisors of the County of Alameda; and said Supervisors shall proceed and compute the rate per cent. necessary to be levied in order to raise such half of the cost of such improvements, and shall, by order, assess the same upon the taxable property in said Township of Alameda, and the same shall be collected in the same manner, and by the same officer, as other county taxes, and when collected shall be paid to the Treasurer of said Commissioners. All such moneys so paid to said Commissioners shall be devoted to the construction of said bridge and road, and the expenses attending the same.

SEC. 5. Said bridge and roadway, when completed, shall be at all times free and open for travel to the public. A draw tender shall be constantly on duty to pass vessels through said draw. Said draw tender shall also act as and be one of the policemen of the City [of] Oakland, with the same compensation and to be paid in the same manner as other policemen of said city; *provided*, that the compensation of said policeman shall be paid, one-half out of the Road Fund of the Township of Alameda and one-half out of the General Fund of the City of Oakland.

SEC. 6. The said City Council of the City of Oakland and the said Bridge Commissioners and the Board of Supervisors of Alameda County are hereby empowered to pass any and all orders and ordinances, and do any and all acts necessary in their judgment to carry into full effect the provisions of this Act

SEC. 7. This Act shall take effect immediately.