

CHAPTER XCIX.

AN ACT to incorporate the Town of Alameda.—[Passed April 19, 1854.]

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

SECTION 1. The inhabitants of the district of country hereinafter described are hereby declared to be incorporated under the provisions of "An Act to provide for the incorporation of towns," passed March twenty-seventh, eighteen hundred and fifty, with the style and name of the town of Alameda, and by that name they shall have perpetual succession, may sue and be sued, and may purchase, receive hold and property for their common benefit, and sell or otherwise dispose of the same.

SEC. 2. The boundaries of said town shall be as follows: On the north-west by the north west line of the land of James B. Foley, Jr., purchased of W. W. Chipman and G. Augenbaugh, running north thirty-four degrees six minutes east, from an oak tree eight inches in diameter on the shore of the bay of San Francisco eighty-nine eighty-

Town of Alameda
incorporated.

Boundaries of
town.

three chains, to the line of the land of Antonio Maria Peralta, thence south sixty-one degrees east along the line dividing the land of said A. M. Peralta, from the land deeded to said Chipman and Augenbaugh by said Peralta, October twenty-second, eighteen hundred and fifty-one, until said division line strikes the Estero De San Leandro at the head thereof, on branch near Romby brick-yard; thence following down the centre of said Estero to its mouth in the bay of San Leandro; thence following the centre of the channel thereof, and the deepest water along the southern border of the Encinal San Antonio, about two hundred yards from the line of ordinary high tide thereon until the said line in the water of said bay of San Leandro, running a south-westerley course, following the general outline of said southerly border of said Encinal, strikes the centre of the channel opposite the present steamer landing in said town of Alameda; thence following the centre of said channel north-westerly until the said centre line strikes the first boundary line projected, thence with said boundary projected north thirty-four and a half degrees east to the beginning. And the privilege is hereby granted to the Trustees of said town to build or construct (or cause the same to be done) wharves and docks between the line of ordinary high tide and said channel, and the right of holding, for the use of the same, for the term of ten years, slips and piers, and other necessary appurtenances for carrying on the commerce of said town. The above privileges are hereby granted upon the condition that the Trustees of said town shall hold and preserve, free from occupancy, the remainder of said parcel of overflowed land lying between said channel and the line of said ordinary high tide, that the Legislature may hereafter make such a disposition of the same for, and on behalf of said town, under such limitations and conditions as they may deem just and equitable.

The same.

Privileges granted.

Powers and duties vested in Board of Trustees.

SEC. 3. The corporate powers and duties of said town shall be vested in a Board of Trustees to consist of five members, who shall be elected by the qualified electors of said town on the second Monday of May in each year, and shall hold office for the term of one year, and until their successors are qualified, and they shall receive no compensation for their services. Their sittings shall be public, and they shall keep a journal of their proceedings, and the yeas and nays on any question shall be taken and entered on said journal at the request of any member.

Powers of Board.

SEC. 4. The Board of Trustees shall have power to open, alter, extend, establish, pave, grade, or otherwise improve, and to regulate streets, lanes and alleys; to construct and keep in repair bridges, fences, public places, wharves, docks, slips, piers, sewers, and wells; to regulate and collect tolls, wharfage and dockage upon all water craft and goods landed; they shall have no power to grant exclusive privileges, but all water craft, steamers and ferry boats shall have the unrestricted privilege of using said wharves, docks, slips and piers upon complying with the prescribed regulations and paying the charges for wharfage and dockage, the rates of which shall be uniform. They shall have power to sell, lease, or otherwise dispose of the common property, but all sales or leases shall be by public auction, after thirty days' notice posted in three of the most public places within said town, and by publishing the same in some one or more newspapers published in San Francisco. They shall have power to organize and support Common Schools and Academies; to making regulations for securing the health, cleanliness, ornament, peace and good order of the town, and for preventing and extinguishing fires. They shall have power to levy taxes not exceeding one per cent. per annum on the assessed value of the real and personal property within the town for

The same.

the support of free schools, and for defraying the ordinary expenses of The same. the town; to license exhibitions, shows, amusements and billiard tables; to suppress all gambling houses, dram shops, and all occupations, places, houses and exhibitions which are against good morals and contrary to public order and decency; to regulate and change the location for the storage of gunpowder, slaughter-houses and tanneries, and to remove and abate nuisances.

SEC. 5. No member of the Board of Trustees shall be directly or indirectly interested in any contract or sale of anything whatever entered into, or work or business ordered to be executed by the authority of said Board. Trustees not to interested in contracts

SEC. 6. The elections and returns under this Act shall be regulated in the same manner as is prescribed in the Act to provide for the incorporation of towns.

SEC. 7. This Act shall commence and be in force from the passage thereof.