

CHAPTER DXIX.

An Act to facilitate the City of Sacramento in procuring material to raise its streets and levees.

[Approved March 30, 1868.]

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

Right to remove earth from bed of American river.

SECTION 1. All the right and interest of the State of California in and to so much of the old bed of the American River as lies west of what would be Thirty-first street if said street was extended, is hereby granted to the City of Sacramento; *provided*, that no legal or equitable rights which may have heretofore accrued to any portion of said river bed shall be impaired by the passage of this Act; and *provided*, that no earth shall be taken from within one hundred and fifty feet of the base of the city levee; and *provided* further, that no earth, sand, sediment or deposit shall be taken or removed from such portion of said river bed as lies within the distance of two hundred yards east of the east bank of the Sacramento River.

Trustees may condemn lands.

SEC. 2. The Board of Trustees of the City of Sacramento are hereby authorized to condemn for public use, in the same manner as the Board of City Levee Commissioners were authorized to condemn property for the construction of the levees, so much of the old bed of the American River, and of lands adjacent thereto, as they may deem necessary or proper for the purpose of furnishing sand, earth and gravel to fill or raise the streets, alleys and levees.

SEC. 3. All lands granted or procured under the provisions

of this Act shall be wholly under the control of the Board of Trustees, which body shall make all necessary rules and regulations in regard to taking dirt therefrom; and when such dirt is to be used elsewhere than on the streets, alleys or levees, may establish a rate of charges therefor and cause the same to be collected; *provided*, that all moneys collected under the provisions of this Act shall be paid into the City Treasury of said city in the same manner as other moneys are paid in, and shall be set apart and used only for the repair of streets.

Trustees to
have control

Proceeds.

SEC. 4. This Act shall take effect upon its passage.