

the erection or carrying on of any soap or glue factory, or tan yard, or powder magazine, or other nuisance, within the limits of said city.

SEC. 2. The Council of the City of Oakland shall have authority to erect public buildings, for municipal purposes, upon one of the public squares of said city: *provided*, the location of such building shall first be indicated by the legal voters of said city, at an election to be called by the City Council, which may be held for that purpose, and in such election the locality receiving a plurality of the votes cast, provided it be a public square, shall be the place for the erection of said buildings; and said election shall be held in conformity with the laws regulating elections.

SEC. 3. The Council of the City of Oakland shall have power, by ordinance, to regulate the use of hacks, carriages, drays, carts, and wagons within said city, also to issue licenses for the use thereof, with the power to fix the rates and time of issue thereof, and to prescribe the penalty for the non-compliance with such ordinance or ordinances.

SEC. 4. There shall be elected, at the annual charter election in said City of Oakland, one Justice of the Peace, who shall hold his office for the term of one year, and until his successor is elected and qualified. Said Justice shall have such powers within said city as Justices of the Peace have within the County of Alameda, and shall receive the same fees. Said Justice, before entering upon the duties of his office, shall give a bond to the People of the State in the sum of two thousand dollars, with two or more sureties, to be approved by the Mayor of said city.

SEC. 5. They shall also have the exclusive right, in the manner described by ordinance, of issuing and granting of licenses, and of collecting the tax licenses, for the benefit of the city, upon the following business and property, to wit: Upon each and every person, within the limits of said city, who shall vend any goods, wares, or merchandise, wines, or distilled and fermented liquors, drugs or medicines, jewelry, or wares of precious metals, and persons who keep horses or carriages for rent or hire (except mules, horses, or animals used in the transportation of goods); that is to say, all persons dealing in the aforesaid business in said city, and whose average monthly sales, rents, or receipts are estimated at one thousand dollars, and less than five thousand dollars; and those, also, whose average monthly sales, rents, or receipts are one thousand dollars and less than one thousand dollars; also upon all taverns, innkeepers, and upon all persons who may sell or dispose of any malt, spirituous, or fermented liquors or wines, in less quantities than one quart, and the said licenses shall be issued quarterly or yearly; also, upon every person within the limits of said city who shall keep a stallion, jack, bull, or ram, and who shall permit the same to be used for the purpose of propagation, for hire or profit, which license shall be a yearly license; all of which licenses, when granted by said city, and duly obtained by the person or persons desiring the same, shall entitle them to carry on said business, trade, or profession in said city; but this section shall not be so constructed as to require those having licenses for carrying on said business to obtain one from the city until the expiration of the licenses now held by them.

TIME AND METHOD OF LEVYING TAXES.

SEC. 6. The City Council shall, between the first Monday in January and the first Monday of March, in each year, by ordinance, levy a tax sufficient to pay the interest on the funded debt of said city, and in addition thereto, any amount they may deem necessary for any and all purposes for which they are authorized to levy a tax, the whole amount of which, not exceeding one and one fourth per cent. on all real and personal property. [The rate of taxation shall not exceed one per cent., *see* Supple-

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