

same ; and the employment of counsel, and of engineers; and the letting of contracts; and the issuing of bonds, and the sale thereof; and the construction of works, and maintaining of the same; and the expenditure of money, and the incurring of any debt or obligation of indebtedness in obtaining said supply of water; and in the appointment of agents or commissioners to represent the city in any work or duty connected with the work aforesaid; and in defining their duties; but neither the City Council nor the Board of Public Works shall have authority as aforesaid, unless by the separate and concurrent action of both bodies.

SEC. 4. At any time when the City Council and the Board of Public Works may deem it expedient, three Commissioners shall be appointed, one by the City Council and two by said Board, who shall have power, under instructions from said bodies, to act for and represent the city in all matters and proceedings necessary and incident to the procuring of a supply of water for the city, by purchase or condemnation, or otherwise, as provided in section one of this Act; and the grant, or purchase, or acquisition of any rights or property obtained under this Act, shall be made to and for the city. Said Commissioners shall give bonds, payable to the city, and to be approved by the Council, for the faithful performance of their duties, in such amounts as the City Council and the Board of Public Works may require, and shall receive such compensation as the Council and the Board may fix.

SEC. 5. In all matters relating to the condemnation of lands and water rights, and rights of way, and obtaining and supplying the City of Oakland and adjacent towns with water, as set forth in this Act, and where the Board of Public Works has no concurrent power with the City Council, the Council shall have full authority to do all things consistent herewith and necessary to carry into effect the provisions of this Act.

SEC. 6. Before proceeding to condemn any property mentioned in section one of this Act, said Board shall endeavor to purchase the same from the owner or owners, and if the parties cannot agree on the terms of sale and purchase, said Board may proceed to condemn the same.

SEC. 7. In condemning said property, the proceedings must be taken under Title Seven, Part Three, of the Code of Civil Procedure, and all the sections of said Title are made applicable to and a part of this Act, and in such proceedings the said Board of Public Works shall be the plaintiff.

SEC. 8. For the purpose of paying for any lands or property required to be purchased, or condemned, under the provisions of this Act, and for the purpose of carrying out any of the provisions of this Act, the Board of Public Works shall have power to issue bonds of the City of Oakland, payable on the first day of July, A.D. eighteen hundred and ninety-six, unless previously redeemed, as is herein provided, to an amount not exceeding eight hundred thousand dollars. Said bonds shall be of denominations not less than five hundred dollars, and shall have coupons attached, for the interest thereon, which interest shall be at the rate of seven per cent. per annum, payable semi-annually, on the second day of January and the first day of July, of each year; and said principal and interest shall be made payable at the office of the Treasurer of the said City of Oakland. Said bonds shall be signed by the Mayor and the Treasurer of said city, and countersigned by the President of the Board of Public Works, and the coupons shall be signed by said Treasurer, and said bonds shall be numbered consecutively from one to the last number issued. For the purpose of liquidating the bonds issued as aforesaid, the City Council of Oakland is hereby authorized to levy, annually, a special tax, from and after the year eighteen hundred and eighty-six, in sufficient amounts to