

within the limits of the city, like jurisdiction as is conferred on Justices of the Peace. He shall have power to administer oaths and affirmations, and shall act as City Attorney until the next election, after which he may be appointed City Attorney by the Council.

SEC. 46. The Treasurer shall receive and pay out all moneys belonging to the city, and keep an account of all receipts and expenditures, under such regulations as may be prescribed by ordinance; he shall make a monthly statement to the Council, of the receipts and expenditures of the preceeding month, and keep all the papers and documents belonging to the city, attend the meetings of the Council, and keep a journal of their proceedings, and a record of all their ordinances, and shall do all other things required of him by ordinance.

SEC. 47. The Marshal shall execute, within the city, and return all processes issued and directed to him by the Justice or Mayor, arrest all persons guilty of a breach of the peace, or of a violation of any ordinance of the Council, and take them before the Mayor, or any other legal authority within the city; he shall pay over all moneys into the City Treasury, received in pursuance of the ordinances of the Council; and shall attend the meetings of the Council; he shall also perform the duties of Street Commissioner, and do and perform such other duties as may be prescribed by ordinance.

SEC. 48. The officers or persons to whom the receipts or expenditure of the moneys or funds of the city shall be entrusted, shall give security in such amount as the Council may require, payable to the city, and subject to the approval of the Mayor; such bond or bonds shall be subject to the provisions of the law concerning the official bonds of officers. In case such security becomes insufficient, additional security may be required, and if not given, the Council, by a vote of two-thirds of the members, may declare the office vacant, and order a new election.

SEC. 49. All fines and other moneys received by any officer or person, under this charter, or collected under ordinance of the Council, shall be paid over every month, by such officer or person, unto the City Treasurer, under oath; and no officer shall be entitled to receive compensation for any services rendered, until he file his affidavit with the Mayor, that he has faithfully accounted for and paid over all moneys received by him, and for which he is bound to account.

SEC. 50. The corporation created by this Act shall succeed to all the legal and equitable rights, claims, and privileges, and shall be subject to all the equal or equitable liabilities and obligations, made bona fide, of the Town and City of Oakland. And the City Council shall have full power to maintain suits in proper Courts to recover any right or interest to property which may have accrued to the Town and City of Oakland.

SEC. 51. All sales or leases of property, belonging to the City of