

*Fifth*—To build, alter, repair, rent and provide school houses, and furnish them with proper school furniture, apparatus and school appliances, and to insure any and all such school property.

*Sixth*—To receive, purchase, lease and hold in fee, in trust for the city of Oakland, any and all real estate, and to hold in trust any personal property that may have been acquired, or may hereafter be acquired, for the use and the benefit of the public schools of said city: *provided*, that no real estate shall be bought, sold or exchanged, or expenditures incurred for the construction of new school-houses, without the consent of four members of the Board of Education and four members of the City Council of said city; and *provided* further, that the proceeds of any such sale or exchange of real estate shall be exclusively applied to the purchase of other lots, or the erection of school-houses. And the City Council of said city are hereby authorized and required to make over to said Board of Education, upon application in writing by said Board, through its President and Secretary, by good and sufficient deeds of conveyance, all property, both real and personal, now held by said City Council in trust for said city, for the use and benefit of the public schools; and the said Board is hereby authorized to defray all expenses attending the same.

*Seventh*—To grade, fence and improve all school lots, and in front thereof to grade, sewer, plank or pave and repair streets, and to construct and repair sidewalks.

*Eighth*—To sue for any and all lots, lands and property belonging to or claimed by the said School Department, and to prosecute and defend all actions at law or in equity necessary to recover and maintain the full enjoyment and possession of said lots, lands and property, and to employ and pay counsel in such cases: *provided*, the amount of fees paid to such counsel shall not exceed five hundred dollars in any one year; and further, to do any and all [lawful] acts necessary thereto.

*Ninth*—To determine annually the amount of money required for the support of the public schools, and for carrying into effect all the provisions of law in reference thereto. And in pursuance of this provision the Board shall on or before the first Monday of February of each year, submit in writing to the City Council a careful estimate of the whole amount of money to be received from the State and County, and the amount required from the city for the above purposes; and the amount so found to be required from the city shall, by the City Council, be added to the other amounts to be assessed and collected for city purposes: *provided*, that the amount to be thus assessed for school purposes shall not exceed forty cents on each one hundred dollars valuation upon the assessment roll, and that when collected it shall be immediately paid into the School Fund, to be drawn out only upon the order of the Board of Education.