

the discretion of the Board, to a just decision; which shall, after ascertaining the true state of the case, be given without delay.

SEC. 71. The Board of Supervisors shall have power to levy and collect, in the mode prescribed by law, for assessment and collection of taxes, by tax each year, upon all property in said city and county, not exempt from taxation, such amount as they may deem sufficient to provide for the prompt payment of all demands upon the treasury thereof, authorized by this Act to be paid out of the same; *provided*, that such taxation, exclusive of State and school tax, shall in no case exceed the rate of one hundred and twenty-five cents on each hundred dollars' valuation upon the Assessment Roll. The said Board shall also levy and collect in the same manner such amount, not exceeding the rate of thirty-five cents on each hundred dollars' valuation as aforesaid, as may be determined by the Board of Education to be necessary for the support of free common schools in said city and county.

SEC. 72. The said Board of Supervisors shall also constitute a Board of Equalization for said city and county, and as such shall have the powers conferred by the general laws regulating the assessment and collection of taxes, when not inconsistent with the provisions of this Act. Appointments of officers or public agents required by existing statutes, not repealed by this Act, to be made on the nomination of the Mayor, and confirmation by the Common Council of the City of San Francisco shall, after this Act takes effect, be made in like manner on the nomination of the President of the Board of Supervisors and a confirmation by said Board.

SEC. 73. It shall be the duty of the Auditor, the Superintendent of Common Schools, the Superintendent of Public Streets and Highways, Chief of Police and Chief Engineer of the Fire Department of said city and county, to report to the Board of Supervisors on the first Monday in February of each year, the condition of their respective departments, embracing all their operations and expenditures during the preceding year, and recommending such improvements in them as they may deem necessary. The Auditor shall also present to the Board of Supervisors at each quarterly session, and must also publish the same, a statement of the exact condition of the finances of said city and county, which must show the receipts into, and disbursements made from, the treasury during the preceding quarter, the amount of money on hand and the amount of audited demands outstanding. Immediately after the first Monday in February, the Board of Supervisors shall make up and publish an abstract from these several reports and other sources of the operations, expenditures and condition of all departments of government of the said city and county.

SEC. 74. The Board of Supervisors shall further have power by regulation or order:

First. To regulate the police and police force of said city and county.

Second. To provide for the security, custody and administration of all property of said city and county, without any power to sell or encumber the same, or to lease any part thereof for more than three years, except, however, that such personal property belonging to the fire, street, or other departments, as they may deem unsuited to the uses and purposes for which the same was designed, or so much worn or dilapidated as not to be worth repairing, may be sold or exchanged by order or resolution. The said Board shall also have power, at their discretion, to appoint a City and County Attorney, learned in the law, and to prescribe and regulate his duties and obligations.

Third. To provide by regulation for the prevention and summary removal of all nuisances to public health, the prevention of contagious diseases, the prevention and summary removal of all nuisances and obstructions in the public streets and highways.

Fourth. To provide in cases omitted in this Act, and in conformity with the principles adopted in it, for opening, altering, extending, grading, planking, paving, or repaving, or otherwise improving of public streets and highways at the expense of the property benefited thereby, without any recourse in any event upon the city and county, or the public treasury, for any portion of the expense of such works, or any delinquency of the property owners or holders.

Fifth. Providing for lighting and cleaning the streets.