

a misdemeanor in office, and be liable to removal and shall be proceeded against accordingly; if he loan or deposit said moneys, or any part thereof, contrary to the provisions of this section, or apply the same to his own use or to the use of any other person, in any manner whatsoever, or suffer the same to go out of his personal custody, except in payment of audited demands upon the treasury, he shall be deemed guilty of felony, and on conviction thereof, shall suffer imprisonment in the State Prison for a period not less than three or more than ten years.

SEC. 80. The Treasurer shall keep the moneys belonging to each fund separate and distinct, and shall, in no case, pay demands chargeable against one fund out of moneys belonging to another, except as otherwise provided in this Act, without an express order of the Board of Supervisors, which can only be made at or after the third regular session, held during the fiscal year, by a vote of two-thirds. The said Treasurer shall give his personal attendance at his public office during the office hours fixed in this Act; and if he absent himself therefrom, except on account of sickness or urgent necessity, during such office hours, he shall lose his salary for the entire day on which he was absent.

SEC. 81. The following demands against the treasury shall be received for taxes, at one per cent. above their par value:

First. Audited bills of the current fiscal year, for wages or salaries of teachers in the common schools, and all other duly audited demands of such year, payable out of the School Fund, after having been presented for payment, and registered by the Treasurer, as provided in section eighty-eight, shall be received for school taxes, but no other demands shall be so received.

Second. Coupons due, or to become due, during the current fiscal year, issued by the Commissioners of the Funded Debt, for the payment of the interest upon the certificates known as the San Francisco City Stock, under the provisions of the Act entitled "An Act to authorize the Funding of the floating Debt of the City of San Francisco, and to provide for the Payment of the same," passed May first, one thousand eight hundred and fifty-one, and all coupons so received, must every week be handed over to said Commissioners to be canceled, and the receipt of said Commissioners taken therefor by the Treasurer; also the coupons due or to become due, during the current fiscal year, issued by the Board of Fund Commissioners, in pursuance of an Act entitled "An Act to provide for the Funding the legal and equitable Debt of the City of San Francisco, and for the final Redemption of the same," passed May seventh, one thousand eight hundred and fifty-five.

Third. Coupons due, or to become due, during the current fiscal year, issued for interest, by the Commissioners for funding the floating debt of the County of San Francisco, in pursuance of the Act entitled "An Act to Fund the Floating Debt of the County of San Francisco," passed May fourth, one thousand eight hundred and fifty-two.

Fourth. All lawful demands upon the Treasury, except those payable out of the School Fund and the Surplus Fund, after having been duly audited, and presented for payment and registered, as provided in Section eighty-eight, shall be a legal tender for the whole amount of all taxes and other dues belonging to and receivable into the City and County Treasury. *Provided*, That none of the demands or coupons named in the several numbered subdivisions of this section, shall be received for State taxes and dues to the State Treasury. *And provided further*, That none of the demands or coupons aforesaid, except as provided in the first of said subdivisions, shall be received for or in payment of school taxes. If the Treasurer shall refuse to receive such audited demands or coupons, when tendered for taxes or other dues to the Treasury as aforesaid, or shall neglect to cancel such audited demands on the day so received, or otherwise paid into the Treasury, or shall neglect to deliver such coupons received by him to the Fund Commissioners, as before required, he shall be deemed guilty of a misdemeanor in office, and for every offence shall, on conviction thereof, be adjudged to pay a fine equal to the amount of the audited demands and coupons so tendered and refused, or so received or paid, and neglected to be canceled, or to be delivered to the