

by common law is declared to be a misdemeanor, (and for which no punishment is especially prescribed by law), with power to punish by imprisonment in the county jail or city prison, not exceeding six months, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment; and he shall also have jurisdiction to try and punish all offenses committed against the rules and regulations established by the Board of Supervisors, in pursuance of the authority granted in this Act, except where it is otherwise provided, and may commit or hold the offender to bail for trial in the proper court, or may try, condemn, or acquit, and carry his judgment into execution, as the case may require, according to law; and shall have power to issue warrants of arrest, subpoenas, and all other process necessary to the full and proper exercise of his powers and jurisdiction. All fines imposed by the Police Judge, not exceeding twenty dollars, exclusive of costs, shall be final and without appeal; his Court shall be a Court of Record; a clerk shall be appointed therefor by the Board of Supervisors, with a salary of twelve hundred dollars a year, who shall give bond as required by law, and hold his office during the pleasure of said Board. [Amendment, April 18, 1857.)

SEC. 20. Proceedings in the Police Judge's Court, shall be conducted in conformity with the laws regulating proceedings in the Recorder's Court. The said Court shall be open daily, Sundays excepted, and may be held by any Justice of the Peace of the city and county, in case of the temporary absence of the Police Judge or his temporary inability to act from any cause. In case of a vacancy in the office of Police Judge, the Board of Supervisors shall have power to appoint any Justice of the Peace of the said city and county to fill the vacancy until the next election, when the office shall be filled by election for a full term.

SEC. 21. The Clerk of the Police Judge's Court, shall keep a record of its proceedings, issue all process ordered by said Court, receive and pay weekly into the treasury of the city and county, all fines imposed by said Court, and render to the County Auditor, monthly, and before any amount can be paid him on account of salary or otherwise, an exact and detailed account, upon oath, accompanied with the exhibition of the said record of all fines imposed and moneys collected since his last account rendered.

SEC. 22. All fines imposed by the Police Judge's Court, Court of Sessions of said city and county, or any Justice's Court, shall be paid into the treasury thereof, as part of the Police Fund; in cases where for any offense, the said courts are authorized to impose a fine or imprisonment in the county jail, or both, they may, instead thereof, sentence the offender to be employed in labor upon the public works of said city and county, for a period of time equal to the term of imprisonment which might be legally imposed, and may, in case of imposing a fine, embrace as a part of the sentence, that in default of payment of such fine, the offender shall be employed to labor on said public works at one dollar a day, till the fine imposed is satisfied. By the "public works," as used in this Act, is understood the construction, or repair, or cleaning, of any street, road, dock, wharf, public square, park, building, or other works, whatsoever, which is authorized to be done by and for the use of the said city and county, and the expense of which is not to be borne exclusively by the individuals or property particularly benefitted thereby.

SEC. 23. The Chief of Police, in conjunction with the President of the Board of Supervisors and the Police Judge, the concurrence of two of them being necessary to a choice, shall appoint four Captains of Police, each from a different district, and as many Police Officers, not exceeding thirty, as the Board of Supervisors shall determine to be necessary. Thereof, an equal number in proportion to population, as near as may be, shall be selected from each district that shall be situated, wholly or partly, within the limits specified in section second of the Act now repealed, entitled "An Act to Re-Incorporate the City of San Francisco," passed May sixth, one thousand eight hundred and fifty-five.

SEC. 24. No person can be appointed Captain of Police or Police Officer, unless he be a citizen of the United States and of this State, and a resident and a qualified