

moneys afterward coming into the said treasury, applicable thereto, in the order in which the same are registered.

SEC. 97. The Board of Supervisors, Board of Education, and each and every officer of the said city and county, being absolutely prohibited to contract any debt or liability, in any form, against the said city and county hereafter, the powers of the Board of Supervisors, enumerated in this act, so far as the exercise thereof may involve the expenditure of money otherwise than for the objects and demands referred to in the preceding section, shall be deemed to extend only to authorizing the appropriation and application of any surplus moneys remaining in the treasury, during any one fiscal year, to the objects specified in such enumeration of powers, after the demands mentioned in the first fourteen subdivisions of section ninety-five, due and payable during such fiscal year, shall have been paid, and the several Sinking Funds shall have been provided and reserved for the redemption of said bonds and certificates of stock, to the amount hereinbefore specified.

SEC. 98. If any expenditures, not authorized by this act, be incurred, they can never be paid out of the treasury, nor shall they be deemed to constitute, or lay the foundation of any claim, demand, or liability, legal, equitable, or otherwise, against the said city and county. If expenditures be incurred, which are authorized by this act to be paid out of the surplus funds in the treasury, but not for the preferred objects specified in section ninety-six, such expenditures can only be paid out of such surplus funds and revenues strictly appertaining to the fiscal year in which such expenditures have been ordered, or the contracts therefor entered into, and cannot be carried forward and paid out of any revenues accruing and receivable into the treasury for any subsequent year; nor shall any demand for, or arising out of, any such expenditure, contract or consideration, be deemed to be a legal nor equitable claim or liability against the said city and county, or the treasury thereof, or the taxable property or tax payers, otherwise than as in this section provided; and no demand preferred against the said city and county, or the treasury thereof, which is not legally obligatory under the provisions of this act, can be recognized, assumed, or legalized, so as to give it any validity, or authorize the payment thereof.

SEC. 99. Repeals former acts, and provides that all laws and parts of laws defining the powers and duties of Supervisors or Boards of Supervisors, are declared inapplicable to the said city and county of San Francisco, except such as are expressly referred to in, and made applicable thereto by the provisions of this act; also, all laws and parts of laws, as far as they conflict with the provisions of this act.

The schedule to the act provides for the organization of San Mateo County, and is therefore omitted.

SUPPLEMENTAL. XIX.—*Act for the Relief of the San Francisco Gas Company.*
Approved March 6, 1858.

SEC. 1. (Provides for the payment of the past indebtedness due by the city and county of San Francisco to the company.)

SEC. 2 The Board of Supervisors of the city and county of San Francisco are hereby authorized to audit, allow, and pay, the bills of the San Francisco Gas Company, rendered after the passage of this act, at the end of each calendar month, in pursuance of the original contract made with James Donahue & Co. by the city of San Francisco.

SEC. 3. In case the Board of Supervisors of the city and county of San Francisco shall order any gas for the City Hall, engine houses, or any other public buildings, they are hereby authorized to audit and pay for the same out of the General Fund of the city and county of San Francisco as herein provided.

SEC. 4. The payments authorized to be made by this act, when ordered by the Board of Supervisors, shall be made out of the General Fund, and in addition to the payments specified in section eleven of an act entitled an Act amendatory of and supplementary to an Act to repeal the several charters of the city of San Francisco,