

SEC. 3. The records, books, and papers in the custody of the said City Treasurer, shall be handed over to and received into the custody of the Treasurer of the said city and county, and all other books, records, and papers of the said corporation, shall be delivered and received into the custody of the Clerk of the Board of Supervisors of said city and county, and shall not be withheld under any claim of a lien thereon for arrears of salary, fees, services, or advances, nor under any other pretense whatsoever. Suits and actions may be brought and maintained in the name of the City and County of San Francisco, for the recovery of any property, money, or thing belonging thereto, or the enforcement of any rights of, or contracts with, said city and county. And from any judgment rendered against the said city and county in any court, an appeal may be taken by the said city and county, where such appeal is allowed by law, without the giving of any appeal bond or undertaking, on complying with the other requisites prescribed by law.

SEC. 4. All the existing provisions of law, defining the powers and duties of county officers, excepting those relating to Supervisors and Boards of Supervisors, so far as the same are not repealed or altered by the provisions of this Act, shall be considered as applicable to officers of the said City and County of San Francisco, acting or elected under this Act. Provision shall be made from the revenues of the said city and county for the payment of the legal indebtedness of the former city corporation and of the County of San Francisco. The taxes which may be levied and collected under the provisions of this Act, shall be uniform throughout the said City and County of San Francisco; but in case it should hereafter be found necessary, for the purpose of providing for the said city indebtedness, to increase taxation beyond the rate of the county tax levied upon property in said County of San Francisco, during the year one thousand eight hundred and fifty-five, such increased taxation, over and above the rate aforesaid, shall be levied and assessed exclusively upon the real and personal property situated within the limits defined in the second section of the Act entitled "An Act to Reincorporate the City of San Francisco," passed May fifth, one thousand eight hundred and fifty-five, and not upon such property situated without those limits.

SEC. 5. Immediately after the passage of this Act, the present City Attorney, Surveyor-General, and C. K. Garrison, shall proceed to lay off the said city and county into twelve convenient districts, equal in population as near as conveniently may be, giving a distinct name to each district, the boundaries of which they shall accurately define by reference to public streets, roads, or other permanent monuments, and shall cause a map to be made representing the said districts, with their names and boundaries so fixed. The act of said officers establishing said districts, signed by them or a majority of them, shall be recorded in the office of the County Recorder of said city and county, and the original deposited in the office of the County Clerk, and the map shall be deposited with the said County Surveyor. Each of said districts shall constitute an election precinct.

SEC. 6. [Amended April 18 and 29, 1857, April 22 and May 3, 1861, and May 2, 1862:] There shall be elected, hereafter, for the City and County of San Francisco, by the qualified electors thereof at the time thereafter mentioned, and in the manner prescribed by law for the election of State and county officers, one Mayor, who shall be *ex officio* President of the Board of Supervisors; a County Judge, County Clerk, Police Judge, Chief of Police, Sheriff, Coroner, Recorder, Treasurer, Auditor, Tax Collector, Assessor, Public Administrator, Surveyor, Superintendent of Common Schools, Superintendent of Public Streets and Highways, District Attorney, and Harbor Master, who shall continue in office for two years next after their election and qualification, unless otherwise provided for in this Act. There shall be elected in each of the twelve election districts of said city and county, by the qualified electors thereof, one Supervisor and one School Director; and in each of the six townships of said city and county, one Justice of the Peace and one Constable, who shall continue in office for two years;* and in each of the twelve districts, one Inspector and two Judges of Elections, who shall continue in office for one year, and until their successors are elected and qualified.—[Act of April 22, 1861, Sec. 1.] And all vacancies in the office of Supervisor or School Director, where the term of the office will not expire at the next ensuing general election, shall be then filled by an election, in the proper district, for the unexpired term; and for the interval between the happening of any such vacancy and the general election next ensuing, any vacancy in the office of Supervisor shall be filled by appointment by the President of the Board of Supervisors, by and with the advice and consent of a majority of the Supervisors then in office; and any vacancy in the office of School Director shall be filled by appointment by the Superintendent of Common Schools, by and with the advice and consent of a majority of the School Directors then in office; and such appointees shall hold office respectively until the general election next ensuing,

* Justices of the Peace shall be elected by the electors of their respective townships or cities, at the special elections to be held for the election of Justices of the Supreme Court, and shall hold their offices for two years from the first day of January next following their election. All vacancies to be filled by appointment of the Board of Supervisors of the County.—Act of April 20, 1863.