

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 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, an exact and detailed account, upon oath, accompanied with an exhibition of said record, of all fines imposed and moneys collected since his last account rendered. He shall prepare bonds, justify and accept bail, when the amount has been fixed by the Police Judge, in cases not exceeding one thousand dollars, and he shall fix, justify, and accept bail, after arrest, in the absence of the Police Judge, in all cases not amounting to a felony, in the same manner and to the same effect as though the same had been fixed by the Police Judge. The said Clerk shall remain at the court-room of said Court, in the City Hall, during the hours named in section eight of the Act of which this is amendatory, and during such reasonable hours thereafter as may be necessary for the purpose of discharging his said duties.—[Amendment May 18, 1861. Sec. 1.]

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 benefited 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 voter of the city and county; and, in case of each Police Officer, a resident of the district from which he is chosen, and also before his appointment, shall produce to the said President of the Board of Supervisors, Chief of Police, and Police Judge, a certificate signed by at least twelve freeholders and qualified voters of the said city and county, who, in case of application for appointment of a Police Officer, must also be residents of the district from which he is to be appointed, stating that they have been personally and well acquainted with the applicant for one year or more, next preceding the application, and that he is of good repute for honesty and sobriety, and they believe him to be, in all respects, competent and fit for the office. All the certificates so produced, shall be carefully preserved in the office of the Chief of Police.

SEC. 25. Police Captains and Officers may be suspended from office by the Chief of Police, and, with the concurrence of the President of the Board of Supervisors and Police Judge,

* Declared not to be a Court of Record.—*Act of April 27, 1863.*

† Increased to two hundred dollars per month.—*Act of March 25, 1862.*

‡ The act of May 17, 1861, increases the number of policemen to forty. And the Act of April 26, 1862, provides for an appropriation "not to exceed one thousand dollars per month for ten additional policemen."