

and held by persons or parties adversely to the possession of the State through such Commissioners, and shall publish the result of their investigations in one of the newspapers printed and having the largest circulation in said City and County of San Francisco; and if any person or company in the possession of any portion of said water front, holding the same adversely to the State, shall, when required by the Commissioners to make known to them the authority by virtue of which such person or company claims to hold such possession, refuse or neglect to make the same known, the Commissioners shall institute such legal proceedings as may be necessary to discover the nature of such authority; and the costs of such proceedings shall be paid and recovered from the person or company in such adverse possession and so refusing. The said Commissioners are hereby authorized and empowered to institute actions at law or in equity for the possession of any wharf or wharfs, or other rights, privileges, franchises, etc., named in this section, or for the recovery of the tolls, dockage, rents, and wharfage thereof; also, for the removal of obstructions, and abatement of any and all nuisances on the water front mentioned in this Act, and to prosecute the same to final judgment.

Sec. 3. The Commissioners shall have and hold possession and control of said water front, with the improvements, rights, privileges, franchises, easements, and appurtenances connected therewith, or in any wise appertaining thereto, for the following purposes and uses:

*First.* To keep in good repair all the sea walls, embankments, wharfs, piers, landings, and thoroughfares, for the accommodation and benefit of commerce.

*Second.* To dredge such number of the docks as the commerce of the harbor may require, to a depth that will admit of the easy ingress and egress of the vessels which load and unload at said wharfs and piers.

*Third.* To construct such new wharfs, piers, landings, and thoroughfares, at the foot of the streets, as the wants of commerce may require.

*Fourth.* To construct all works necessary for the protection of wharfs, piers, docks, landings, and thoroughfares, and for the safety and convenience of shipping.

*Fifth.* To provide for the construction, out of the surplus funds growing out of the revenues arising from said wharfs, such sea wall or other structure along the water front of said City and County of San Francisco, as shall, upon accurate surveys made for that purpose, be found to be necessary for the protection of the harbor and water front of said city and county. The said structure or sea wall shall be commenced at some point between Harrison Street and Vallejo Street, upon said water front, and shall be completed between said streets before any work upon said structure or sea wall is done north of Vallejo Street or south of Harrison Street.

*Sixth.* To collect such rents, tolls, wharfage, craneage, and dockage, as may, from time to time, be fixed under the authority of this Act, and to disburse and dispose of the revenues arising therefrom as in this Act provided.

Sec. 4. The Commissioners shall appoint some suitable person to act as Secretary of said Board, who shall not be a member thereof. The Secretary, before entering upon the duties of his office, shall give to the State of California a bond, with two or more sureties, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties under this Act, which bond shall be approved by the Commissioners, in writing, and filed with the Secretary of State. The Secretary shall keep, in suitable books, a record of all moneys received and disbursed by said Commissioners, and also of all contracts and agreements made and entered into by them, which record shall be open to the inspection of the public during the usual business hours. The Secretary shall perform such other duties properly pertaining to the duties of a Secretary as may be required of him by the Board. He shall, also, on the first Monday in January, April, July, and October, in each year, file, under oath, in the office of the Secretary of State, a statement, in the form of a balance sheet, containing a full exhibit of all moneys received and disbursed, the sources from which the same were received, and the purposes for which such moneys were paid out.

Sec. 5. Whenever any wharf or wharfs shall come into the possession of the Commissioners, under section two of this Act, they shall proceed to lease the same, separately, for terms not exceeding three years. Before leasing any wharf or wharfs, they shall advertise for at least thirty days in a daily newspaper published in the City and County of San Francisco, having the largest circulation, inviting sealed proposals or bids for leasing, separately, such wharf or wharfs. Such advertisements shall contain all necessary information in regard to the terms of the leases to be made, and such lease or leases shall be awarded to the highest responsible bidders; *provided*, that if all such bids are, in the opinion of the Commissioners, unreasonably low, they may reject them all, and advertise for further bids in like manner as before. In such leases, the Commissioners shall make such provision, not inconsistent with this Act, for the proper dredging of the docks, repair of wharfs, and construction of all works necessary for the protection of wharfs, docks, and landings, as in their opinion the safety and convenience of shipping may require. Should the Commissioners be unable to lease any wharf or other work coming into their possession, they shall employ some suitable person to collect the revenue which