

hundred and twenty-eight, corner of Market and Fifth streets; one hundred-vara lot number one hundred and seventy-four, corner of Harrison and Fourth streets; fifty-vara lot number six hundred and sixty-three, corner of Taylor and Vallejo streets; and the lots, or any portion thereof, which were set aside for School purposes by the Commissioners appointed by the Van Ness Ordinance, ratified and confirmed by the Legislature by an act entitled An Act concerning the City of San Francisco, and to ratify and confirm certain ordinances of the Common Council of said City, approved March eleventh, eighteen hundred and fifty-eight, and good and valid deeds therefor to make and execute; *provided*, that no real estate shall be sold or exchanged without the consent of seven members of the Board of Education, and seven members of the Board of Supervisors, of said city and county; and, *provided*, further, that the proceeds of such sales shall be applied exclusively to the purchase of other lots or the erection of school-houses.

*Tenth.* To grade, fence, and improve school lots, and in front thereof to grade, sewer, plank, or pave, and repair streets, and to construct and repair sidewalks.

*Eleventh.* To sue for any and all lots, lands, and property belonging to or claimed by the said School Department, and to prosecute and defend all actions, at law or in equity, necessary to recover and maintain the full enjoyment and possession of said lots, lands, and property, and to employ and pay counsel in any cases; *provided*, the amount of fees paid to such counsel shall not exceed one thousand dollars in any one year; and further, to do any and all lawful acts necessary thereto.

*Twelfth.* To determine, annually, the amount of taxation, not exceeding thirty-five cents on each one hundred dollars valuation upon the assessment roll, to be raised by tax upon the real and personal property within the said city and county, not exempt from taxation, for the establishment and support of Free Public Schools therein, and for carrying into effect all the provisions of law regarding Public Schools; and the amount so determined by the said Board of Education shall be reported in writing to the Board of Supervisors of said city and county on or before the third Monday of April of each year; and the said Board of Supervisors are hereby authorized and required to levy and cause to be collected, at the time and in the manner of levying State and other city and county taxes, the amount of taxation so determined and reported to them by the said Board of Education, as a school tax upon all taxable property of said city and county; and said tax shall be in addition to all other amounts levied for State, and city, and county purposes.

*Thirteenth.* To establish regulations for the just and equal disbursement of all moneys belonging to the Public School Fund.

*Fourteenth.* To examine and allow, in whole or in part, every demand payable out of the School Fund, or to reject any such demand for good cause, of which the Board shall be sole judge.

*Fifteenth.* To discharge all legal incumbrances now existing upon any school property.

*Sixteenth.* To order paid from the School Fund of the said city and county, a sum not exceeding one hundred dollars per month, until the first day of July, eighteen hundred and sixty-four, and no longer, for rent of an office and rooms for the Superintendent and said Board, and a further sum, not exceeding five hundred dollars, to fit up such office and rooms.

*Seventeenth.* To prohibit any child under six years of age from attending the Public Schools.

*Eighteenth.* And, generally, to do and perform such other acts as may be necessary and proper to carry into force and effect the powers conferred on said Board.

SEC. 3. The President of the Board of Education shall have power to administer oaths and affirmations concerning any demand upon the treasury payable out of the School Fund, or other matters relating to his official duties.

SEC. 4. At the last regular session of the Board, in September, December, March, and June, of each year, before proceeding to other business, each Director shall be called on to report the condition of the school or schools in his district, and the circumstances and wants of the inhabitants thereof, in respect to education, and to suggest any defect he may have noted and improvement he would recommend in the school regulations. The reports to be made in December and June, shall be in writing.

SEC. 5. Before giving out any contract or incurring any liability to mechanics or laborers, or for expenditures authorized by section two, subdivisions three, five, and six, respectively, to any amount exceeding two hundred dollars, the Board of Education shall cause notice to be published for five days, inviting sealed proposals for the object contemplated. All proposals offered shall be delivered to the Superintendent of Public Schools, and said Board shall, in open session, open, examine, and publicly declare the same, and award the contract to the lowest responsible bidder; *provided*, said Board may reject any and all bids, should they deem it for the public good, and also, the bid of any party who may have proved delinquent or unfaithful in any former contract with said city and county or said Board, and cause a republication of the notice for proposals as above specified.—[Amendment March 12, 1864.]

SEC. 6. No School Director or Superintendent shall be interested in any contract pertaining