

election returns, and qualifications of its own members, and shall order and provide for holding elections in the proper districts, to fill vacancies, which may happen or exist more than six months previous to the next general election; at which general election such office shall be filled by election for the full term of two years. The Board of Supervisors shall determine the rules of its proceedings, keep a record of its acts and resolutions, and allow the same to be published; and the yeas and nays on any question shall, at the request of any member, be entered on its journals. The Board of Supervisors shall appoint a clerk with a salary of twenty-one hundred dollars a year [Amendment Act April 26, 1862], to hold office during the pleasure of the Board, who shall be *ex officio* Clerk of the Board of Equalization, without any additional salary as such, except as provided in section eleven, and shall be required to take the constitutional oath of office, and give bond for the faithful discharge of the duties of his office.* He shall have power to administer such oaths and affirmations as may be required by law or the regulations, or the orders of the Board, relating to any demands upon the treasury or other business connected with the government of the city and county; and shall also have power to certify and authenticate copies of all records, papers, and documents in his official custody. The powers of the Board of Supervisors are those granted in this Act; and they are prohibited to exercise any others.—[Amendment, April 18, 1857.]

SEC. 68. It shall be the duty of the President of the Board of Supervisors, vigilantly to observe the official conduct of each Supervisor in his district, and of all public officers of the city and county, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, custody, administration, and disbursement of the public funds and property; for which purpose the books, records, and official papers of all officers and magistrates of said city and county, shall at all convenient times be open to his inspection. He shall take especial care to see that the books and records of all such officers are kept in legal and proper form; and any official defalcation, or willful neglect of duty, or official misconduct, which he may have discovered, or which shall have been reported to him by any Supervisor, shall, at the earliest opportunity, be laid before the Grand Jury, in order that the officer in default may be proceeded against according to law. Every ordinance or resolution of the Board of Supervisors, providing for any specific improvement, the granting of any privilege, or involving the lease, or other appropriation of public property, or the expenditure of public moneys (except for sums less than five hundred dollars), or laying tax or assessment, and every ordinance or resolution imposing a new duty or penalty shall, after its introduction in the Board, be published, with the yeas and nays, in some city daily newspaper, at least five successive days before final action of the Board upon the same; and every such ordinance, after the same shall pass the Board, shall, before it takes effect, be presented to the President of the Board for his approval. If he approves, he shall sign it; if not, he shall return it within ten days, to the Board, with his objections in writing. The Board shall then enter the objections on the journals, and publish them in some city newspaper. If at any stated meeting thereafter, two-thirds of all the members elected to the Board, vote for such ordinance or resolution, it shall then, despite the objections of the President, become valid. Should any such ordinance or resolution not be returned by the President, within ten days after he receives it, it shall become valid the same as if it had received his signature.

SEC. 69. All contracts for building† and printing to be done for the said city and county, and ordinary supplies for subsistence of prisoners, must be given by the Board of Supervisors to the lowest bidder offering adequate security, after due public notice published for not less than five days, in at least two newspapers in said city and county. All contracts for subsistence of prisoners must be given out annually at a fixed price per day, not exceeding twenty-five cents *per diem*, for each person connected with the prison [Amendment Act, April 26, 1862]; and the advertisement for proposals to be published as aforesaid by the Board of Supervisors, shall specify each article that will be required, the quantity thereof, the quantity for each person, and the existing and probable number of prisoners to be supplied. All articles of food supplied for prisoners must be of a sound and wholesome quality, and subject to the inspection and approval of the keeper of the prison, and also the President of the Board of Supervisors and Police Judge of said city and county, all of which must be expressed in the contract therefor to be entered into.

SEC. 70. The Board of Supervisors shall have power to hear and determine appeals from the executive officers of said city and county, in the cases provided in this Act; and in all cases of an appeal taken to the Board of Supervisors, or Board of Education, from the order or decision made by any other officer or officers, such officer or officers shall furnish the Board with a statement of his or their reasons for the orders or decision so appealed from, and the party appealing

* The Act of April 23, 1858, authorizes the Clerk to appoint an assistant, who shall be paid by him. The Clerk of the Board is also Clerk of the Finance Committee.—*Act of the Legislature, April 10, 1857.*

† Inapplicable to the Board of Education and the property of the School Department.—*Act of the Legislature, April 26, 1858.*—COMPILER.