

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 one hundred, [Amendment April 4, 1864] 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each district that shall be situated, wholly or partly, within the limits specified in section second of the act now repealed, entitled "An Act to Re-Incorporate the City of San Francisco," passed May sixth, one thousand eight hundred and fifty-five.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 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, removed from office for official negligence, inefficiency, or misconduct, under such general rules and regulations, not contrary to law, as may have been established by the Board of Supervisors; they shall receive from the treasury of said city and county, payable out of the Police Fund, such compensation as may be fixed by the Board of Supervisors, not exceeding one thousand eight hundred dollars a year, each, for Captains, and one thousand two hundred dollars a year, each, for Police Officers.†

SEC. 26. Neither the Chief of Police, Captains, or any officer of Police, shall follow any other profession or calling, become bail for any person charged with any offense whatever, receive any present or reward for official services rendered, or to be rendered, unless with the knowledge and approbation of a majority of the Police Commissioners, to wit: the Police Judge, President of the Board of Supervisors, and Chief of Police of the City and County of San Francisco—such approbation to be given in writing; nor be allowed pay for any period during which they shall absent themselves from public duty, unless such absence necessarily result from indisposition or disability occasioned by injuries suffered while in the discharge of official duty. Police Officers in subjection to the orders of the respective Captains, and all under the general direction of the Chief of Police, shall be prompt and vigilant in the detection of crime, the arrest of public offenders, the suppression of all riots, frays, duels, and disturbances of the public peace, the execution of process from the Police Judge's Court, in causing the abatement of public nuisances, the removal of unlawful obstructions from the public streets, and the enforcement of the laws and regulations of Police—[Amendment March 24, 1859.]

SEC. 27. In case of great public emergency or danger, the Chief of Police may appoint an additional number of Policemen, of approved character for honesty and sobriety, who shall have the same powers as other Police Officers for twenty-four hours only, but without pay. The Chief of Police, Captains, and every officer of the permanent force, shall provide themselves with a uniform and badge of office, to be prescribed by regulations of the Board of Supervisors, which shall be worn by them upon all occasions, with such exceptions as may be permitted by the Chief of Police in the performance of detective duty.

SEC. 28. Charges of oppression or official misconduct, when presented by any citizen of the said city and county, against any Police Captain or officer, and verified on oath, setting forth the specific acts complained of, shall be received and attentively considered and determined by the Police Judge, President of the Board of Supervisors, and Chief of Police, giving to the accused due notice, and an impartial hearing in defense. The Chief of Police, Police Judge, and

* The Police Commissioners may be empowered by the Board of Supervisors to appoint and regulate local Policemen whenever necessary, provided that no money shall be paid out of the city and county treasury for their services.—[Act April 4, 1864.]

† Salary of officers increased to \$1,500 per annum.—Act April 4, 1863.