

from the income from street railroads, from fines and penalties for violation of any law or ordinance regulating vehicles, or the public streets, shall be paid into the Street Department Fund.—(Amendment March 26, 1866.)

SEC. 72. The said Board of Supervisors shall also constitute a Board of Equalization for said city and county, and as such shall have the powers conferred by the general laws regulating the assessment and collection of taxes, when not inconsistent with the provisions of this Act. Appointments of officers or public agents required by existing statutes, not repealed by this Act, to be made on the nomination of the Mayor, and confirmation by the Common Council of the City of San Francisco, shall after this Act takes effect, be made in like manner on the nomination of the President of the Board of Supervisors and a confirmation by said Board.

SEC. 73. It shall be the duty of the Auditor, the Superintendent of Common Schools, the Superintendent of Public Streets and Highways, Chief of Police and Chief Engineer of the Fire Department of said city and county, to report to the Board of Supervisors on the first Monday in February of each year, the condition of their respective departments, embracing all their operations and expenditures during the preceding year, and recommending such improvements in them as they may deem necessary. The Auditor shall also present to the Board of Supervisors at each quarterly session, and must also publish the same, a statement of the exact condition of the finances of said city and county, which must show the receipts into, and disbursements made from the Treasury during the preceding quarter, the amount of money on hand, and the amount of audited demands outstanding. Immediately after the first Monday in February, the Board of Supervisors shall make up and publish an abstract from these several reports and other sources of the operations, expenditures, and conditions of all departments of governments of the said city and county.

SEC. 74. The Board of Supervisors of the City and County of San Francisco shall have power, by regulation or order [Amendment April 25, 1863]:

*First.* To regulate the Police and Police Force of said city and county, and to prescribe their powers and duties.—[Amendment April 25, 1863.]

*Second.* To provide for the security, custody, and administration of all property of said city and county, without any power to sell or encumber the same, or lease any part thereof for more than three years, except, however, that such personal property belonging to the fire, street, or other departments, as they deem unsuited to the uses and purposes for which the same was designed, or so much worn and dilapidated as not to be worth repairing, may be sold or exchanged, by order or resolution.

*Third.* To authorize and direct the summary abatement of nuisances; to make all regulations which may be necessary or expedient for the preservation of the public health and the prevention of contagious diseases; to provide by regulation, for the prevention and summary removal of all nuisances and obstructions in the streets, alleys, highways, and public grounds of said city and county; and to prevent or regulate the running at large of dogs, and to authorize the destruction of the same, when at large contrary to ordinance.—[Amendment April 25, 1863.]

*Fourth.* To provide for cases omitted in this Act, and in conformity with the principles adopted in it for opening, altering, extending, constructing, repairing, or otherwise improving, of public streets and highways, at the expense of the property benefited thereby, without any recourse, in any event, upon the city and county, or the Public Treasury for any portion of the expense of such works, or any delinquency of the property-holders or owners.

*Fifth.* Providing for lighting the streets.—[Amendment April 26, 1862.]

*Sixth.* To regulate market-houses and market-places.

*Seventh.* To provide for the erection, repair, and regulation of wharves and docks, and fixing the rates of wharfage thereat.

*Eighth.* To provide for inclosing, improving, and regulating all public grounds of the city and county, at an expense not to exceed two thousand dollars per annum.

*Ninth.* To prohibit the erection of wooden buildings, or structures, within any fixed limits where the streets have been established and graded, or ordered to be graded; to regulate the sale, storage, and use of gunpowder, or other explosive, or combustible materials and substances, and make all needful regulations for protection against fire.

*Tenth.* To make such regulations concerning the erection and use of buildings as may be necessary for the safety of the inhabitants.

*Eleventh.* To determine the fines, forfeitures, and penalties that shall be incurred for the breach of regulations established by the said Board of Supervisors, and also for a violation of the provisions of this Act, where no penalty is affixed thereto, or provided by law; but no penalty to be imposed shall exceed the amount of one thousand dollars, or six months' imprisonment, or both, and every violation of any lawful order, or regulations, or ordinance, of the Board of Supervisors of the City and County of San Francisco, is hereby declared a misdemeanor, or public offense, and all prosecutions for the same shall be in the name of the people of the State of California.