

to education; also to establish and regulate the grade of schools, and determine what text books, course of study, and mode of instruction, shall be used in said schools.

Fifth. To provide for the School Department of said city and county, fuel, lights, water, blanks, blank books, printing, stationery, and such other articles, materials, or supplies, as may be necessary and appropriate for use in the schools or in the office of the Superintendent, and to incur incidental expenses not exceeding twenty-five hundred dollars per annum.

Sixth. To build, alter, repair, rent, and provide school-houses, and furnish them with proper school furniture, apparatus, and school appliances, and to insure any and all school property.

Seventh. To lease for a term not exceeding ten years, any unoccupied property of the School Department not required for school purposes.

Eighth. To receive, purchase, lease, and hold in fee, in trust for the City and County of San Francisco, any and all real estate, and to hold in trust any personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of Public Schools of said city and county: *provided*, the lots to be purchased under the provisions of this section do not exceed ten in number; and all conveyances heretofore made to the said Board of Education are hereby legalized and declared valid, and the property therein conveyed vested in said Board in trust as aforesaid.

Ninth. To sell* or exchange the following lots of land, or any part thereof, situate in the City and County of San Francisco, to wit: Fifty-vara lot, number four hundred and sixty-two, on the corner of Filbert and Kearny streets; fifty-vara lot, number seven hundred and thirty-two, on the corner of Harrison and Fremont streets; one-half of one hundred-vara lot, number one 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 the 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 the 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 such 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. [Obsolete.]

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

* In case any school lots are hereafter sold in said city and county, at least one-half of the proceeds of such sale shall be reserved and set apart for the redemption of bonds issued under this Act and former Acts, until all such bonds now outstanding or hereafter issued for school purposes are paid, or sufficient money received and set apart for their final redemption and payment.—[Act March 17, 1866.]