

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. Authorizes the sale of certain School lots,* repealed by Act of March 30, 1868. [See Supplemental VI. page 805]

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 or 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.

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 in any manner to the School Department of said city and county. All contracts in violation of this section are declared void, and any Director or Superintendent violating or aiding in the violation of the provisions of this section shall be deemed guilty of a misdemeanor.

* 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.]

† Forty-five cents authorized.—[Act February 19, 1870. Statutes 1869—70, page 80.]