

be deemed guilty of felony, and on conviction thereof in the Court of Sessions,\* be subject to a fine not to exceed five thousand dollars, and a forfeiture of office or to imprisonment in the State Prison not less than one nor more than three years, or to both such fine and imprisonment: *provided*, that nothing herein shall be held to release such officer from the obligation to give the official bond required by law, or from any civil responsibility arising from his official duties. —[Act May 17, 1861, Sec. 8.] All requisitions for books, blanks and stationery, for any of the officers named in this Act, shall be made by such officers respectively, upon the Board of Supervisors, stating the amount and description thereof, and that the same are essential and necessary for the use of such office, which statement shall be verified by the oath of such officer, and, upon their approval thereof, the said Board shall order the cost of the same paid out of the Special Fee Fund.—[Act May 17, 1861, Sec. 9.]

SEC. 12. Neither the Board of Supervisors, the Board of Education or any officer of the said city and county, or of any district, shall have any power to contract any debt or liability, in any form whatsoever, against the said city and county; nor shall the people or tax-payers, or any property therein, ever be liable to be assessed for, or on account of, any debt or liability hereafter contracted, or supposed or attempted to be contracted, in contravention of this section.

SEC. 13. [Obsolete.]

SEC. 14. All officers of the said city and county must, before they can enter upon their official duties, give bond as required by law. The bonds and sureties of such officers must be approved by the County Judge, Auditor and President of the Board of Supervisors. Where the amount of such official bond is not fixed by law, it shall be fixed by the Board of Supervisors. No banker residing or doing business in said city or county, nor any such banker's partner, clerk, employee, agent, attorney, father, son, or brother, shall be received as surety for the Treasurer, President of the Board of Supervisors, Sheriff, Auditor, or any officer having the collection, custody, or disbursement of money. No person shall be admitted as surety on any such bond, unless he be worth, in fixed property, including mortgages situated in said city and county, the amount of his undertaking, over and above all sums for which he is already liable, or in any manner bound, whether as principal, endorser, or security, and whether such prior obligation or liability be conditional or absolute, liquidated or unliquidated, certain or contingent, due or to become due. All persons offered as sureties on official bonds may be examined on oath touching their qualifications. The official bond of the Auditor shall be filed and kept in the office of the Clerk of said city and county. All other official bonds shall be filed and kept in the office of the Auditor.

SUPPLEMENTAL 1.—*An Act to change the time for holding Municipal Elections in the City and County of San Francisco, and to define the Official Terms of Certain Officers therein mentioned.*—[Approved April 2, 1866.]

SECTION 1. There shall be elected hereafter for the City and County of San Francisco, by the qualified electors thereof, at the times hereinafter mentioned, and in the manner prescribed by law for the election of State and County Officers, one Mayor, who shall be *ex-officio* President of the Board of Supervisors; a County Judge,† Police Judge, an Attorney and Counselor, Probate Judge, Municipal Criminal Court Judge, [Act March 31, 1870] District Attorney, Sheriff, County Clerk, Recorder, Treasurer. Auditor, Tax-Collector, Assessor, Coroner, Public Administrator, Surveyor, and Superintendent of Common Schools, Superintendent of Public Streets, Highways, and Squares, Chief of Police, Harbor Master, and State Harbor Commissioner. There shall be elected in each of the twelve present election districts of said city and county, which shall hereafter constitute municipal districts, and be designated and known in law as wards, by the qualified electors thereof, one Supervisor and one School Director.

SEC. 2. The County Judge, Probate Judge, Police Judge and Municipal Court Judge, [See Supplemental xxii] shall be elected at the special judicial election, and shall hold their offices as provided by law.

SEC. 3. All elections for city and county officers, except as provided in section two of this Act, shall be held in said city and county on the days prescribed by law for holding the general elections throughout the State, except in the years when no general election is provided for by law, when elections for city and county officers shall be held on the first Wednesday of September of said years.‡

SEC. 4. At the first election held under this Act, on the first Wednesday of September,

\* Abolished, Municipal Court substituted, Act March 31, 1870. [See Supplemental xxi.]

† The terms of the County Judge, (See State Constitution, Art. VI, Sec. 7) Probate Judge, (See Act of Legislature, April 20th, 1863, Sec. 43) and Municipal Court Judge, (See Act of the Legislature, March 31, 1870) are four years each, commencing on the first day of January next succeeding their election. The terms of the present incumbents expire January, 1872. The terms of the Police Judge, (See Act of Legislature, April 20th, 1863, Sec. 57) is two years, commencing on the first day of January next succeeding his election. The term of the present incumbent expires January, 1872.

‡ Except in the year when the Presidential election occurs. When it takes place on the same day, see General Election Law.