

SEC. 21. The Clerk of the Police Judge's Court shall keep a record of its proceedings, issue all process ordered by said Court, receive and pay weekly into the treasury of the city and county all fines imposed by said Court, and render to the County Auditor monthly, and before any amount can be paid him on account of salary, an exact and detailed account, upon oath, accompanied with an exhibition of said record, of all the fines imposed and moneys collected since his last account rendered. He shall prepare bonds, justify and accept bail, when the amount has been fixed by the Police Judge, in cases not exceeding one thousand dollars; and he shall fix, justify and accept bail, after arrest, in the absence of the Police Judge, in all cases not amounting to felony, in the same manner and to the same effect as though the same had been fixed by the Police Judge. The said Clerk shall remain at the Court Room of said Court in the City Hall, during the hours named in section eight of the Act of which this is amendatory, and during such reasonable hours thereafter as may be necessary for the purpose of discharging his said duties.—[Amendment May 18, 1861.]

SEC. 22. All fines imposed by the Police Judge's Court, Court of Sessions* of said city and county, or any Justice's Court, shall be paid into the treasury thereof, as part of the Police Fund; in cases where, for any offense, the said Courts are authorized to impose a fine or imprisonment in the county jail, or both, they may instead thereof sentence the offender to be 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 a 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 work 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 born 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 and fifty [see Supplemental Act VII, page 779], 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 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 the 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 five hundred dollars a year each, for Police Officers.—[See Supplemental Act VII, page 779.]

SEC. 26. Neither the Chief of Police, Captains, or any other 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

* Abolished.—[See Amendments to Constitution of the State, 1862.]

† 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.]

‡ The City of San Francisco shall be bounded as follows: On the south by a line drawn parallel with Clay street, two and a half miles distant from the center of Portsmouth Square; on the west by a line drawn parallel with Kearny Street, two miles distant from the center of Portsmouth Square; its boundaries on the north and east shall be the same with those of the County of San Francisco.—[Act May 6, 1855.]