

under any other pretense whatsoever. Suits and actions may be brought and maintained in the name of the City and County of San Francisco, for the recovery of any property, money, or thing belonging thereto, or the enforcement of any rights of, or contracts with, said city and county. And from any judgment* rendered against the said city and county in any Court, an appeal may be taken by the said city and county, where such appeal is allowed by law, without the giving of any appeal bond or undertaking, or complying with the other requisites prescribed by law.

SEC. 4. All the existing provisions of law, defining the powers and duties of county officers, excepting those relating to Supervisors and Boards of Supervisors, so far as the same are not repealed or altered by the provisions of this Act, shall be considered as applicable to officers of the said City and County of San Francisco acting or elected under this Act. Provision shall be made from the revenues of the said city and county for the payment of the legal indebtedness of the former city corporation and of the County of San Francisco. The taxes which may be levied and collected under the provisions of this Act shall be uniform throughout the said City and County of San Francisco; but in case it should hereafter be found necessary, for the purpose of providing for the said city indebtedness, to increase taxation beyond the rate of the county tax levied upon property in said County of San Francisco, during the year one thousand eight hundred and fifty-five, such increased taxation, over and above the rate aforesaid, shall be levied and assessed exclusively upon the real and personal property situated within the limits† defined in the second section of the Act entitled "An Act to Re-incorporate the City of San Francisco," passed May fifth, one thousand eight hundred and fifty-five, and not upon such property situated without those limits.

SEC. 5. Immediately after the passage of this Act, the present City Attorney, Surveyor-General, and C. K. Garrison, shall proceed to lay off the said city and county into twelve convenient districts, equal in population as near as conveniently may be, giving a distinct name to each district, the boundaries of which they shall accurately define by reference to public streets, roads, or other permanent monuments, and shall cause a map to be made representing the said districts, with their names and boundaries so fixed. The act of said officers establishing said districts, signed by them, or a majority of them, shall be recorded in the office of the County Recorder of said city and county, and the original deposited in the office of the County Clerk, and the map shall be deposited with the said County Surveyor. Each of said districts shall constitute an Election Precinct.‡

SEC. 6. The provisions of this section referring to the elections and terms of city and county officers have been superceded by Act of April 2, 1866, and the amendments thereto.—[See Supplemental Act I, page 881.] To Justices of the Peace and Constables, by Acts of March 26, and the amendments thereto, February 10, 1870.—[See Supplemental Act XXIX, page 928.] And to the election of Inspectors and Judges of the Election, by the Political Code, Part III, Secs. 1127-1144.

Vacancies in the office of Supervisor or School Director [Act April 29, 1857], where the term of office will not expire at the next ensuing general election, shall be then filled by an election in the proper district, for the unexpired term and for the interval between the happening of any such vacancy and the general election next ensuing; any vacancy in the office of the Supervisor shall be filled by appointment by the President of the Board of Supervisors, by and with the advice and consent of a majority of the Supervisors then in office; and any vacancy in the office of School Director [re-enacted; see Article III, Sec. 13, page 894] shall be filled by appointment by the Superintendent of Common Schools, by and with the advice and consent of a majority of the School Directors then in office; and such appointees shall hold office respectively until the general election next ensuing and the election and qualification of their successors in office. But no such appointment shall be valid unless the appointee be, at the time of his appointment, an elector of the district wherein the vacancy occurred.—[Amended; see Supplemental Act I, Sec. 4, page 881.]

SEC. 7. By the term "qualification of officers," as used in this Act, is to be understood their having taken the oath of office, given the official bond, where it is required by law, and complied with all the requisites prescribed by the statutes of this State, to entitle and qualify them to exercise the functions of their offices.

SEC. 8. The Sheriff, County Clerk, § County Recorder, Treasurer, District Attorney, Auditor, Tax Collector, Superintendent of Public Streets and Highways, Surveyor, Harbor Master, and Clerk of the Board of Supervisors of said city and county shall keep public offices, which shall be kept open for the transaction of business every day in the year, except Sundays, Christmas, New Year's, Fourth of July, Thanksgiving, the Twenty-second of February, and on any days during which a general election shall be held, between the hours of nine o'clock A.M. and four o'clock P.M.—[Amendment May 14, 1861.]

* The Act of April 13, 1858, authorizes the payment from the General Fund of any final judgment against the City and County of San Francisco.

† See Note (t), page 890.

‡ Districts changed to wards.—[Act April 2, 1866.] The Board of Supervisors of each county must establish a convenient number of election precincts, and may from time to time change boundaries of, create new, or consolidate and establish, precincts.—[Political Code, Part III, Secs. 1127-1129.]

§ The Act of February 1, 1872, authorizes the County Clerk to close his office also on the day on which the judicial election is held.