

THE  
STATUTES OF CALIFORNIA

AND

AMENDMENTS TO THE CODES.

PASSED AT THE

EXTRA SESSION OF THE THIRTY-SEVENTH LEGISLATURE

1907

BEGAN ON TUESDAY, NOVEMBER NINETEENTH, AND ENDED ON SATURDAY, NOVEMBER  
TWENTY-THIRD, NINETEEN HUNDRED AND SEVEN, AT TWELVE O'CLOCK NOON



SACRAMENTO

W. W. SHANNON, : : : : SUPERINTENDENT STATE PRINTING  
1907.



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## STATE OFFICERS.

Name.	Official Position.	Residence.
James N. Gillett.....	Governor.....	Eureka
Warren R. Porter.....	Lieutenant-Governor.....	Walsonville
Charles F. Curry.....	Secretary of State.....	San Francisco
A. B. Nye.....	Controller.....	Oakland
W. R. Williams.....	Treasurer.....	Fresno
U. S. Webb.....	Attorney-General.....	Quincy
W. S. Kingsbury.....	Surveyor-General.....	Los Angeles
Edward Hyatt.....	Superintendent of Public Instruction.....	Riverside
W. W. Shannon.....	Superintendent of State Printing.....	San Francisco
Frank L. Caughey.....	Clerk of Supreme Court.....	Ukiah
J. B. Lauck.....	Adjutant-General.....	Oakland
E. C. Cooper.....	Private Secretary to the Governor.....	Eureka
F. F. Mitchell.....	Executive Secretary to the Governor.....	Fresno
James L. Gillis.....	State Librarian.....	Sacramento

## STATE BOARD OF EQUALIZATION.

Capitol, Sacramento.

Name.	District.	Residence.
James H. Scott.....	First.....	San Francisco
Alex. Brown (Pres.).....	Second.....	Milton
Richard E. Collins.....	Third.....	Redding
Jeff McElvaine.....	Fourth.....	San Bernardino
A. B. Nye.....	Ex officio.....	Oakland
T. M. Eby.....	Secretary.....	Sacramento

## RAILROAD COMMISSIONERS.

Ferry Building, San Francisco.

Name.	District.	Residence.
A. C. Irwin (President).....	First.....	Marysville
H. D. Loveland.....	Second.....	San Francisco
Theodore Summerland.....	Third.....	Los Angeles
Judson C. Brusie.....	Secretary.....	San Francisco

## SUPREME COURT.

Century Club Building, San Francisco.

Name.	Official Position.	Residence.
W. H. Beatty.....	Chief Justice.....	San Francisco
Frederick W. Henshaw.....	Associate Justice.....	Oakland
M. O. Sloss.....	Associate Justice.....	San Francisco
Thomas B. McFarland.....	Associate Justice.....	San Francisco
F. M. Angellotti.....	Associate Justice.....	San Rafael
Lucien Shaw.....	Associate Justice.....	Los Angeles
William G. Lorigan.....	Associate Justice.....	San José
Frank L. Caughey.....	Clerk.....	Ukiah

## JUSTICES OF THE DISTRICT COURTS OF APPEAL.

## FIRST APPELLATE DISTRICT.

Century Club Building, San Francisco.

Name.	Official Position.	Residence.
J. A. Cooper.....	Presiding Justice.....	San Francisco
Samuel P. Hall.....	Justice.....	Oakland
Frank H. Kerrigan.....	Justice.....	San Francisco
P. J. Hayselden.....	Clerk.....	Oakland

## SECOND APPELLATE DISTRICT.

Bullard Block, Los Angeles.

Matthew T. Allen.....	Presiding Justice.....	Los Angeles
Victor E. Shaw.....	Justice.....	San Diego
James W. Taggart.....	Justice.....	Santa Barbara
W. D. Shearer.....	Clerk.....	Los Angeles

## THIRD APPELLATE DISTRICT.

Capitol, Sacramento.

Norton P. Chipman.....	Presiding Justice.....	Red Bluff
Elijah C. Hart.....	Justice.....	Sacramento
Albert G. Burnett.....	Justice.....	Santa Rosa
G. H. Chase.....	Clerk.....	Red Bluff

## SENATORS—THIRTY-SEVENTH (EXTRA) SESSION, 1907.

WARREN R. PORTER, of Watsonville.....	President.
EDWARD I. WOLFE, of San Francisco.....	President pro tem.
LEWIS A. HILBORN, of San Francisco.....	Secretary
J. LOUIS MARTIN, of Oakland.....	Sergeant-at-Arms

Name.	Party.	Dist.	Postoffice Address.
Anderson, John N.....	Republican	39	..... Santa Ana
Anthony, Marc.....	R. & U. L.	24	..... 966 Market st., San Francisco
Bates, J. C.....	Republican	14	..... 2130 Buena Vista ave., Alameda
Bell, Charles W.....	N. P. & D.	36	..... Pasadena
Belshaw, C. M.....	Republican	9	..... Antioch
Black, Marshall.....	Republican	28	..... Palo Alto
Boynton, A. E.....	Republican	6	..... Oroville
Broughton, Howard A.....	Republican	35	..... San Francisco
Caminetti, A.....	Democrat	10	..... Jackson
Carter, Henry E.....	Republican	37	..... 211½ W. Second st., Los Angeles
Cartwright, George W.....	Democrat	26	..... Fresno
Curtin, J. B.....	Democrat	12	..... Sonora
Greenwell, C. B.....	Republican	33	..... Santa Barbara
Hartman, Gus.....	R. & U. L.	22	..... 1245 Franklin st., San Francisco
Irish, J. B.....	Republican	3	..... Colfax, Placer County
Keane, George B.....	R. & U. L.	23	..... 807 Octavia st., San Francisco
Kennedy, T. J.....	Democrat	20	..... 16 Ford st., San Francisco
Leavitt, F. W.....	Republican	16	..... 925 Linden st., Oakland
Lukens, G. R.....	Republican	15	..... 1362 Jackson st., Oakland
Lynch, Henry W.....	Republican	31	..... Lynch Postoffice
Markey, F. A.....	R. & U. L.	17	..... 4020 Eighteenth st., San Francisco
McCartney, H. S. G.....	Republican	38	..... 934 W. Eighteenth st., Los Angeles
McKee, J. A.....	Republican	7	..... 2405 M st., Sacramento
Miller, E. O.....	Democrat	32	..... Visalia
Nelson, John H.....	R. & U. L.	25	..... 327 Chestnut st., San Francisco
Price, W. F.....	Republican	8	..... Santa Rosa
Rambo, S. H.....	Republican	29	..... Boulder Creek
Reilly, D. J.....	R. & U. L.	18	..... 440 Fair Oaks st., San Francisco
Rolley, George T.....	Republican	1	..... Eureka
Rush, Benj. F.....	Republican	5	..... Suisun
Sanford, J. B.....	Democrat	4	..... Ukiah
Savage, William H.....	Republican	34	..... San Pedro
Walker, George S.....	Republican	27	..... San José
Weed, A.....	Republican	2	..... Dunnsmuir
Welch, Richard J.....	Republican	19	..... 1033½ Shotwell st., San Francisco
Willis, Henry M.....	Republican	30	..... San Bernardino
Wolfe, Edward I.....	Republican	21	..... 793 Ashbury st., San Francisco
Wright, Leroy A.....	Republican	40	..... Keating Block, San Diego

## MEMBERS OF THE ASSEMBLY—THIRTY-SEVENTH (EXTRA) SESSION, 1907.

R. L. BRADSLER, of Stockton.....	Speaker
J. P. TRANSUE, of Los Angeles.....	Speaker pro tem.
OLIO LLOYD, of Santa Barbara.....	Chief Clerk
J. T. STAFFORD, of Sacramento.....	Sergeant-at-Arms

Name.	Party.	Dist.	Postoffice Address.
Barry, Dennis W.....	R. & U. L.	37	..... 406 Broderick st., San Francisco
Baxter, E. N.....	Democrat	26	..... Wawona
Beardslee, R. L.....	Republican	23	..... Stockton
Boban, Dominick J.....	R. & U. L.	43	..... 1315 Pacific st., San Francisco
Beckett, Samuel H.....	R. & U. L.	38	..... 1834 Golden Gate av., San Francisco
Bell, Rolson O.....	Republican	74	..... 502½ N. Alameda st., Los Angeles
Berry, T. J. T.....	Republican	1	..... Crescent City
Birdsall, E. S.....	Republican	10	..... Auburn
Bishop, Clyde.....	Republican	77	..... Santa Ana
Boyle, Patrick J.....	R. & U. L.	32	..... 915A Illinois st., San Francisco

## MEMBERS OF THE ASSEMBLY—Continued.

Name.	Party.	Dist.	Postoffice Address.
Bush, Frank W.	Republican	15	Napa
Butler, Edward I.	Republican	21	San Rafael
Campbell, P. C.	Republican	22	Richmond
Casc, G. S.	Republican	67	Pasadena
Chandler, W. F.	Republican	60	Selnu
Cogswell, Prescott F.	Republican	68	El Monte
Coghlan, Nathan C.	R. & D.	41	1763 Greenwich st., San Francisco
Collister, Stanley W.	Republican	13	Occidental
Cornish, N. A.	Republican	4	Alturas
Costar, W. J.	Republican	7	Chico
Cullen, John A.	R. D. & U. L.	29	940 Folsom st., San Francisco
Cutten, Charles P.	Republican	2	Eureka
Davis, J. O.	Democrat	58	Hollister
Devlin, Frank R.	Republican	20	Vallejo
Drew, A. M.	Republican	61	Fresno
Eshleman, John M.	R. & U. L.	52	Berkeley
Estudillo, Miguel	Republican	78	Riverside
Finney, J. W.	Republican	5	Downieville
Fisher, Charles M.	Republican	80	331 First ave., San Francisco
Forbes, P. W.	Democrat	27	Independence
Frattessa, Paul F.	R. & U. L.	33	889 Berlin st., San Francisco
Hammon, P. V.	Republican	75	476 Custer ave., Los Angeles
Hans, George J.	Republican	51	Fruitvale
Hartmann, F. Hugo	R. & U. L.	35	2665 Mission st., San Francisco
Held, W. D. L.	Republican	6	Ukiah
Hewitt, A. H.	Republican	8	Yuba City
Higgins, J. T.	Republican	55	Morgan Hill
John, Warren M.	Republican	63	San Luis Obispo
Johnson, Grove L.	Republican	17	720 H st., Sacramento
Johnson, Percy A.	Republican	80	Fallbrook
Jury, Richard H.	Republican	53	San Mateo
Kelly, Peter J.	R. D. & U. L.	28	6 Fremont place, San Francisco
Kohlman, Samuel T.	R. & U. L.	42	777 Ellis st., San Francisco
Leeds, W. R.	Republican	70	2642 Van Buren place, Los Angeles
Lemon, W. F.	Republican	76	Colton
Lucas, H. C.	Republican	54	Santa Cruz
Ludington, W. F.	Republican	70	San Diego
Lynch, Edward J.	Republican	19	Walsh Station
McClellan, John W.	Republican	3	Bridgeville
McConnell, J. I.	Democrat	16	Woodland
McGuire, William L.	Republican	62	Hanford
McKeon, John	D. & Ind. L.	34	4225 Nineteenth st., San Francisco
McMullin, H. W.	Republican	66	Bakersfield
O'Brien, Frank J.	Republican	18	1529 Eighth st., Sacramento
Otis, Frank	Republican	47	1609 Santa Clara ave., Alameda
Percival, Arthur E.	Republican	24	Lodi
Pierce, F. E.	Republican	72	1351 Rich st., Los Angeles
Pyle, E. M.	Republican	64	Santa Barbara
Root, George W.	Republican	9	Grass Valley
Sackett, George L.	Republican	65	Ventura
Smith, Guy W.	Republican	56	Saratoga
Smyth, F. H.	Democrat	12	Middletown
Snyder, George F.	Republican	11	San Andreas
Spalding, C. C.	Republican	57	Sunnyvale
Stanton, P. A.	R. & D.	71	420 W. Thirty-first st., Los Angeles
Stetson, John W.	Republican	50	353 Lennox ave., Oakland
Strohl, Louis	R. & U. L.	45	2191 Powell st., San Francisco
Strobridge, E. K.	Republican	46	Hayward
Thompson, Henry	R. & U. L.	40	2541 Sutter st., San Francisco
Thompson, N. W.	Republican	69	Alhambra
Toomey, Daniel J.	R. & U. L.	31	1101 Kentucky st., San Francisco
Transue, J. P.	Republican	73	1233 Trenton st., Los Angeles
Vogel, Mel.	R. D. & U. L.	44	1007 Clay st., San Francisco
Walsh, Philip M.	Republican	48	1067 Tenth st., Oakland
Weske, H. W. A.	Republican	14	Santa Rosa
Wessling, John	Ind. League	36	San Francisco
Whitmore, R. K.	Republican	25	Modesto
Wilson, James A.	R. & U. L.	30	1307 Howard st., San Francisco
Wyatt, J. J.	Republican	59	Salinas



# PROCLAMATION BY THE GOVERNOR.

## CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

STATE OF CALIFORNIA }  
EXECUTIVE DEPARTMENT. }

WHEREAS, An extraordinary occasion having arisen, and now existing, requiring the Legislature of the State of California to convene:

Now, THEREFORE, I, James N. Gillett, Governor of the State of California, by virtue of the power and authority in me vested by section nine, article five, of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, on *Tuesday, the nineteenth day of November, Anno Domini one thousand nine hundred and seven*, at ten o'clock A. M. of that day, for the purpose of enacting laws and taking legislative action upon the following subjects, to wit:

1st. An act to add a new section to the Political Code of the State of California relating to the postponing of the collection of payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures, or fines for non-payment of the same, the postponing of entry of penalty for such delinquency, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith in the event of general financial stringency.

2d. To amend section ten of the Political Code, sections ten, one hundred and thirty-four, and one hundred and thirty-five of the Code of Civil Procedure, and section seven of the Civil Code in reference to legal holidays, by providing for special holidays which may, by proclamation, be called by the Governor, and declaring what judicial acts may be performed by the courts during the continuance thereof.

3d. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Sections 10 and 12 of Article XII and Section 20 of Article XVI of said Charter, relating to bond issues, et cetera.

4th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Section 2 of Chapter 111 of Article IV, relating to the custody by the treasurer of public funds, and authorizing their deposits in certain banks upon certain terms and conditions.

5th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Chapters 7, 8, 4 and 3 of Article IX thereof, relative to the composition of the personnel of the companies of the Fire Department and the salaries and vacations of the members thereof.

6th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors of said city, at a general election held therein on Tuesday, November fifth, nineteen hundred and seven, amending Section 1 of Chapter V of Article VIII and Section 1 of Chapter VI of Article VIII, relative to salaries of members of the Police Department.

7th. To provide for expenses incurred by the Adjutant-General during the months of May, June, and July, nineteen hundred and seven, arising and growing out of the labor troubles and strikes in the City of San Francisco, and to pay members of the National Guard for services rendered at that time.

8th. To remove Andrew M. Wilson from the office of Railroad Commissioner, on the ground of corruption and incompetency on the part of the said Wilson.

9th. To amend section five of the act entitled "An act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such

## GOVERNOR'S PROCLAMATION.

purpose, and adding a new section to said act relating to the publication of said act, and providing for the payment of the cost of publication of the same.

10th. To appropriate money for the contingent expenses of the Governor's office.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol, at Sacramento, this fifteenth day of November, in the year of our Lord the one thousand nine hundred and seventh, and of the admission of the State of California the fifty-seventh.

J. N. GILLETT,

Governor of the State of California.

[SEAL.]

ATTEST:

C. F. CURRY,

Secretary of State.

# STATUTES OF CALIFORNIA

PASSED AT THE

## EXTRA SESSION OF THE THIRTY-SEVENTH LEGISLATURE.

### CHAPTER 1.

*An act making an appropriation for the contingent expenses of the governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. The sum of one thousand dollars (\$1000.00) or so much thereof as may be necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated, to pay for postage, expressage, telegraphing, traveling and contingent expenses of the governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated for that purpose.

Appropriation.

Contingent expenses of governor's office.

SEC. 2. The state controller is hereby directed to draw his warrant upon proper demands audited by the state board of examiners for the amount herein appropriated, and the state treasurer is hereby directed to pay the same.

SEC. 3. This act shall take effect immediately.

### CHAPTER 2.

*An act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the adjutant general, under direction of the governor, arising and growing out of the labor troubles and strikes in the city of San Francisco in the months of May, June and July, 1907.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. The sum of seventeen thousand five hundred eighty-seven and nineteen hundredths dollars (\$17,587.19) is hereby appropriated, out of any money in the state treasury

Appropriation.

Services of National Guard.

not otherwise appropriated, to pay the claims for services of the National Guard of California and other expenses incurred by the adjutant general under direction of the governor, arising and growing out of the labor troubles and strikes in the city of San Francisco in the months of May, June and July, nineteen hundred and seven; said claims to be audited by the adjutant general and have the approval of the governor before being paid.

SEC. 2. The controller is hereby directed to draw his warrant in payment of said claims in favor of the person or persons designated by the adjutant general, and the treasurer is hereby directed to pay the same.

SEC. 3. This act shall take effect immediately.

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### CHAPTER 3.

*An act transferring money from the general fund to the state printing fund, to defray the expenses of legislative printing for the extra session of the thirty-seventh legislature, and directing the state controller and state treasurer to make such transfer.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

Appropriation.  
Legislative printing.

SECTION 1. The sum of four thousand dollars is hereby transferred from the general fund to the state printing fund to defray the printing expenses of the extra session of the thirty-seventh legislature.

SEC. 2. The state controller and state treasurer are hereby directed to make said transfer in conformity with section one of this act.

SEC. 3. This act shall take effect immediately.

## CHAPTER 4.

*An act to amend section five of the act entitled "An act to provide for the issuance and sale of state bonds to create a fund for the acquisition by the board of state harbor commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said act to be numbered section 10½, relating to the publication of said act, and providing for the payment of the cost of publication of the same.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. Section five of an act entitled "An act to provide for the issuance and sale of state bonds to create a fund for the acquisition by the board of state harbor commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this act to a vote of the people," approved March 21, 1907, is hereby amended to read as follows:

Sale of state bonds for tidal basin.

Sec. 5. For the payment of the principal and interest of said bonds a sinking fund, to be known and designated as the "India Basin Sinking Fund" shall be, and the same is hereby created, as follows, to wit: The state treasurer shall, on the first day of each and every month after the sale of said bonds, take from the San Francisco harbor improvement fund such sum as, multiplied by the time the bonds then sold and outstanding have to run, will equal the principal of the bonds sold and outstanding at the time said treasurer shall so take said sum from said San Francisco harbor improvement fund, less the amount theretofore taken therefrom for said purpose; and he shall place the sum in the India Basin sinking fund created by this act. Said state treasurer shall, on controller's warrants duly drawn for that purpose, employ the moneys in said sinking fund in the purchase of bonds of the United States, or of the State of California, or of the several counties or municipalities of the State of California, which said bonds shall be kept in a proper receptacle, appropriately

India Basin sinking fund, how created.

How state treasurer shall employ money.

labeled; but he must keep always on hand a sufficient amount of money in said sinking fund with which to pay the interest on such of the state bonds herein provided to be issued as may have theretofore been sold. And to provide means for the payment of interest on the bonds that may be sold and outstanding, said treasurer shall monthly take from the San Francisco harbor improvement fund, and pay into said India Basin sinking fund, an amount equal to the monthly interest then due on all bonds then sold, delivered and outstanding. The board of state harbor commissioners are hereby authorized and directed by the collection of dockage, tolls, rents, wharfage and cranage to collect a sum of money sufficient for the purposes of this act, over and above the amount limited by section two thousand five hundred and twenty-six of the Political Code of the State of California. Between the first and tenth day of November, in the year nineteen hundred and eighteen and between the first and tenth day of November of each year thereafter until the maturity of said bonds the said treasurer shall, in the presence of the governor, proceed to draw by lots such an amount of bonds as shall be requisite to exhaust as nearly as may be the amount in said sinking fund at that time, and shall thereupon and before the tenth day of December following, give notice by public advertisement to be inserted twice a week for two weeks in two newspapers published in the city and county of San Francisco, and also in one newspaper published in the city of Oakland, and also in one newspaper published in the city of Los Angeles, and also in one newspaper published in the city of Sacramento, stating the number of bonds so drawn and that the principal of said bonds will be paid on presentation to the treasurer on or before the second day of January, following, and that from and after such last named date, all interest upon bonds thus drawn shall cease, and it shall be the duty of the treasurer as soon as said bonds so drawn by lot are surrendered to him and paid to cancel the same, and the interest coupons thereon, and each year beginning with the year nineteen hundred and eighteen, the said treasurer shall, in the manner aforesaid, proceed to draw by lot such an amount of bonds as shall be requisite to exhaust as nearly as may be the amount in said sinking fund, and proceed in the manner hereinabove stated. After the payment of all said bonds, the surplus or balance remaining in said sinking fund, if any there be, shall forthwith be paid into the San Francisco harbor improvement fund. At the time of the respective drawings by lot, as aforesaid, and also at the maturity of said state bonds, said treasurer shall sell the United States or other bonds then in said sinking fund, at governing market rates, after advertising the sale thereof in the manner hereinbefore provided for the sale of bonds hereby authorized to be issued, and shall use the proceeds for the payment of such bonds as may be drawn by lot, and at the maturity of said bonds outstanding shall pay and redeem said matured outstanding bonds out of said moneys in said fund in

Provision  
for pay-  
ment of  
interest.

Collection  
of  
dockage.

Redemp-  
tion  
of bonds  
by lot.

Disposi-  
tion of  
surplus.

Redemp-  
tion of  
matured  
bonds.

extinguishment of said bonds on controller's warrants duly drawn for that purpose.

SEC. 2. A new section is hereby added to an act entitled "An act to provide for the issuance and sale of state bonds to create a fund for the acquisition by the board of state harbor commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this act to a vote of the people," approved March 21, 1907, to be numbered section 10½ and to read as follows:

Sec. 10½. It shall be the duty of the secretary of state to have this act published in at least one newspaper in each county, or city and county, if one be published therein, throughout this state, for three months next preceding the general election to be holden in the month of November, A. D. nineteen hundred and eight, the costs of publication shall be paid out of the San Francisco harbor improvement fund, on controller's warrants duly drawn for that purpose.

Duty of  
secretary  
of state:  
publica-  
tion  
of act.

SEC. 3. This act shall take effect immediately.

## CHAPTER 5.

*An act to amend section seven of the Civil Code, relating to holidays.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. Section seven of the Civil Code is hereby amended to read as follows:

7. Holidays within the meaning of this code, are, every Sunday, the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the first Monday in September, the twenty-fifth day of December, every day on which an election is held throughout the state, and every day appointed by the President of the United States, or by the governor of this state for a public fast, thanksgiving or holiday and such days as the governor may declare as special holidays. If the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the twenty-fifth day of December fall upon a Sunday, the Monday following is a holiday.

**Saturdays.** Every Saturday from twelve o'clock noon until twelve o'clock midnight is a holiday as regards the transaction of business in the public offices of this state, and also in political divisions thereof where laws, ordinances, or charters provide that public offices may be closed on holidays; *provided*, this shall not be construed to prevent or invalidate the issuance, filing, service, execution, or recording of any legal process or written instrument whatever on such Saturday afternoons. *Provided further*, that the governor of the state may declare special holidays and he may in one proclamation designate one or any number of consecutive days as special holidays and during any such special holidays no public duty shall be suspended or prohibited except such as affect the administration of justice in the courts of this state as prescribed by section 135 of the Code of Civil Procedure.

**Special holidays.**

SEC. 2. This act shall take effect and be in force from and after November 27th, A. D. 1907, at 12 o'clock midnight of that day.

## CHAPTER 6.

*An act to amend section ten of the Political Code, relating to holidays.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. Section ten of the Political Code is hereby amended to read as follows:

**Holidays.** 10. Holidays, within the meaning of this code, are every Sunday, the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the first Monday in September, the twenty-fifth day of December, every day on which an election is held throughout the state, and every day appointed by the President of the United States, or by the governor of this state for a public fast, thanksgiving or holiday and such days as the governor may declare as special holidays. If the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September or the twenty-fifth day of December fall upon a Sunday, the Monday following is a holiday. Every Saturday from twelve o'clock noon until twelve o'clock midnight is a holiday as regards the transaction of business in the public offices of this state, and also in political divisions thereof where laws, ordinances, or charters provide that public offices may be closed on holidays: *provided*, this shall not be construed to prevent or

**Saturdays.**



invalidate the issuance, filing, service, execution or recording of any legal process or written instrument whatever on such Saturday afternoons. *Provided further*, that the governor of the state may declare special holidays and he may in one proclamation designate one or any number of consecutive days as special holidays and during any such special holidays no public duty shall be suspended or prohibited except such as affect the administration of justice in the courts of this state as prescribed by section 135 of the Code of Civil Procedure. Special holidays.

SEC. 2. This act shall take effect and be in force from and after November twenty-seventh A. D. 1907 at twelve o'clock midnight of that day.

## CHAPTER 7.

*An act to amend section ten of the Code of Civil Procedure, relating to holidays.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. Section ten of the Code of Civil Procedure is hereby amended to read as follows:

10. Holidays within the meaning of this code, are every Holidays. Sunday, the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the first Monday in September, the twenty-fifth day of December, every day on which an election is held throughout the state, and every day appointed by the President of the United States, or by the governor of this state for a public fast, thanksgiving or holiday and such days as the governor may declare as special holidays. If the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, or the twenty-fifth day of December fall upon a Sunday, the Monday following is a holiday. Every Saturday Saturdays. from twelve o'clock noon until twelve o'clock midnight is a holiday as regards the transaction of business in the public offices of this state, and also in political divisions thereof where laws, ordinances, or charters provide that public offices may be closed on holidays; *provided* that such shall not be construed to prevent or invalidate the issuance, filing, service, execution, or recording of any legal process or written instrument whatever on such Saturday afternoons. *Provided further* Special holidays. that the governor of the state may declare special holidays and he may in one proclamation designate one or any number of consecutive days, as special holidays and during any such special holidays no public duty shall be suspended or pro-

hibited except such as affect the administration of justice in the courts of this state as prescribed by section 135 of this code for the control of such courts.

SEC. 2. This act shall take effect and be in force from and after November 27th, A. D. 1907, at 12 o'clock midnight of that day.

## CHAPTER 8.

*An act to add a new section to the Political Code of the State of California, to be numbered section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for nonpayment, and postponement of the duties of all persons and public officers in connection therewith.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. A new section is hereby added to the Political Code of the State of California, to be numbered 3757, and to read as follows:

When  
taxes  
become de-  
linquent.

**3757.** On the last Monday of January, in the year A. D. 1908, at six o'clock P. M., all taxes levied for the fiscal year ending June 30, A. D. 1908, then unpaid, except the last installment of the real property taxes levied and assessed for said fiscal year, are delinquent; and thereafter the tax collector must collect, for the use of the county or city and county, an addition of fifteen per cent thereon; *provided*, that if they be not paid on or before the last Monday in April next succeeding at six o'clock P. M. he shall collect an addition of five per cent thereon. On the last Monday in April of each year, at six o'clock P. M., all the unpaid portion of the remaining one-half of the taxes on all real property are delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an addition of five per cent thereon; *provided*, that the entire tax on any real property may be paid at the time the first installment as provided by law, is due and payable; *and provided further*, that the taxes on all personal property unsecured by real property, shall be due and payable immediately after the assessment of said personal property is made. *Provided, however*, that the time for the performance by any public officer of any duty imposed by law in connection with the collection of the first installment of said taxes and the fifteen per cent penalty for delinquency thereof is hereby extended sixty-three (63) days in addition to the time now provided by law. This section shall not in any manner be con-

Second  
install-  
ment.

Extension  
of time for  
perform-  
ance  
of public  
duty.

strued to repeal section 3756 of the said Political Code, as the same now exists, but suspends the provisions thereof so far as the same affect the collection of the first installment of taxes with the penalties provided by law levied for the fiscal year ending June 30, A. D. 1908, and shall have no other or further effect, except as herein provided.

SEC. 2. This act shall take effect immediately.

## CHAPTER 9.

*An act to amend section 135 of the Code of Civil Procedure relating to the transaction of judicial business on holidays and special holidays.*

[Approved November 23, 1907.]

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 135 of the Code of Civil Procedure is hereby amended to read as follows:

135. On all special holidays the courts of this state shall be open for the transaction of any and all judicial business, except the trial of an action or the rendition of a judgment based upon a contract, expressed or implied, for the direct payment of money. *Provided*, if any day mentioned in section 10 of this code other than a special holiday happen to be the day appointed for the holding or sitting of a court, or to which it is adjourned, it shall be deemed appointed for or adjourned to the next day.

Special  
holidays:  
restriction  
of judicial  
business  
on.

SEC. 2. This act shall take effect and be in force from and after November 27th, A. D. 1907 at 12 o'clock midnight of that day.

## CONCURRENT RESOLUTIONS.

### CHAPTER 1.

*Senate Concurrent Resolution No. 1. Approving four certain amendments to the Charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general municipal election held therein on the fifth day of November, 1907.*

[Adopted November 22, 1907.]

WHEREAS, The City and County of San Francisco, State of California, contains a population of over three hundred and forty thousand inhabitants, and has been ever since the eighth day of January in the year one thousand nine hundred, and is now organized and acting under a Freeholders' Charter, adopted under and by virtue of Section Eight of Article Eleven of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City and County at an election held for that purpose on the twenty-sixth day of May, one thousand eight hundred and ninety-eight, and approved by the Legislature of the State of California on the twenty-sixth day of January, one thousand eight hundred and ninety-nine (Statutes of 1899, page 241), and which Charter was not amended within an interval of two years immediately prior to the fifth day of November, one thousand nine hundred and seven; and

Charter of  
City and  
County of  
San  
Francisco.

Preamble.

WHEREAS, The legislative authority of said City and County, namely the Board of Supervisors thereof, duly proposed to the qualified electors of the City and County of San Francisco, twenty-one certain amendments to the Charter of said City and County of San Francisco by the submission of twenty-one proposals, entitled, as follows, to wit:

Amend-  
ments  
proposed.

Charter Amendment No. 1, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 10 and 12 of Article XII, and Section 29 of Article XVI thereof, relating to bonds issued for the acquisition of public utilities and the character of such bonds, the registration thereof, and the levy of taxes to provide for the interest thereon and a sinking fund therefor, and to bonds issued for the acquisition of land or lands and the construction or acquisition of any permanent building or buildings, improvement or improvements,

and the character and registration of such bonds and the proceedings for the issuance thereof." Amend-  
ments  
proposed.

Charter Amendment No. 2, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding to Chapter 1 of Article II thereof a new section to be numbered 23, relating to the recall of elected officers."

Charter Amendment No. 3, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 12 of Chapter 1 of Article III thereof, relating to the apportionment of the income and revenue of the several funds and a provision for income to pay interest on the bonded indebtedness and provide for the sinking funds."

Charter Amendment No. 4, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Chapter III of Article IV thereof, relating to the custody by the Treasurer of public funds and authorizing their deposit in certain banks upon certain terms and conditions."

Charter Amendment No. 5, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 21 of Chapter 1 of Article VI thereof, relating to contracts entered into by the Board of Public Works of the City and County, and bonds to be given in connection with the same, and the character, terms and conditions of such contracts, and permitting progressive payments to be provided for thereon, upon certain terms and conditions."

Charter Amendment No. 6, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Article V thereof, relating to the bonds of officers of the City and County."

Charter Amendment No. 7, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 8 of Chapter 1 of Article III thereof, relating to the appropriation by the Supervisors of said City and County for urgent necessities not otherwise provided for by law."

Charter Amendment No. 8, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Chapters 8, 4 and 3 of Article IX thereof, relative to the composition of the personnel of the companies of the Fire Department and the salaries and vacations of the members thereof."

Amend-  
ments  
proposed.

Charter Amendment No. 9, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding three new sections thereto, to be known as Sections 14, 15 and 16 of Article XII thereof, relating to the power of the City and County to acquire, operate, maintain, sell or lease public utilities; relating to the acquisition of lands for water purposes; and relating to the disposition of the rents received from public utilities and the keeping of accounts relative to such public utilities."

Charter Amendment No. 10, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding to Chapter 2, Article II thereof, a new section to be known and numbered as Section "9," relating to the sale of lands by the City and County."

Charter Amendment No. 11, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by repealing Section 20, Chapter III, Article VI of said Charter, and by adding a new Chapter to said Article of said Charter, to be known and designated as Chapter 6 thereof, all relating to the change or modification of street grades and the performance of street work in connection therewith."

Charter Amendment No. 12, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by repealing Sections Nos. 1 to 19 inclusive of Chapter III of Article VI of said Charter and by adding new sections to said Chapter of said Article of said Charter, to be known and designated as Sections 1 to 19 inclusive thereof, all relating to the opening, extending, widening, straightening or closing up of streets and the performance of street work in connection therewith, and the condemnation and acquisition of land and property necessary therefor."

Charter Amendment No. 13, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 5 of Article I thereof, relating to the liability for damages of said City and County and its officials."

Charter Amendment No. 14, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending subdivision 11 of Section 1 of Chapter III of Article VII thereof, relating to the leasing of real property of the School Department."

Charter Amendment No. 15, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Subdivision 3

of Section 1, of Chapter II, of Article II thereof, relating to the powers of the Supervisors of said City and County to grant permits for spur or side tracks and running cars thereon on any public street or portion thereof within said City and County." Amend-  
ments  
proposed.

Charter Amendment No. 16, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Chapter III of Article II thereof, relating to official advertising."

Charter Amendment No. 17, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending subdivision 14, of Section 1, of Chapter II, of Article II thereof, relating to the regulation of telephone charges."

Charter Amendment No. 18, entitled "Describing and setting forth an amendment to the Charter of the City and County of San Francisco, State of California, by amending Section 1 of Article XIV thereof, and by adding thereto a new article, to be known and numbered as Article XIV-A, relating to children's playgrounds and public recreation centers outside of Golden Gate Park, and creating a Playground Commission."

Charter Amendment No. 19, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 1 and 2 of Article X thereof, relating to the Department of Public Health."

Charter Amendment No. 20, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 1 of Chapter V of Article VIII, and Section 1 of Chapter VI of Article VIII, thereof, relative to the salaries of members of the Police Department."

Charter Amendment No. 21, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Sections 2 and 3 of Chapter IX, Article IX of the Charter of said City and County, relative to the salaries of the Chief and of the employes of the Department of Electricity." And

WHEREAS, Said twenty-one proposals aforementioned containing said proposed amendments to said charter were, in accordance with the provisions of Section Eight of Article Eleven of the Constitution of the State of California, published for twenty days after their passage, in "The Evening Post," a daily newspaper of general circulation in the City and County of San Francisco, and the official newspaper of said City and County; and Publica-  
tion.

WHEREAS, The said legislative authority of said City and County, did by Resolution No. 1308 (New Series) of the Board of Supervisors, passed September 16, 1907, instruct the Board of Election Commissioners of said City and County to place Instruc-  
tion to  
place on  
ballot.

upon the ballot at a general municipal election to be held in said City and County of San Francisco on the Fifth day of November, One Thousand Nine Hundred and Seven, the said twenty-one several proposals to amend the Charter of the City and County of San Francisco; and

Election.

WHEREAS, Said general municipal election was held in said City and County of San Francisco on the Fifth day of November One Thousand Nine Hundred and Seven, which day was more than forty days after said proposed amendments had been published for Twenty days in "The Evening Post," newspaper; and

Canvass of returns.

WHEREAS, On the Eleventh day of November One Thousand Nine Hundred and Seven and thereafter, at meetings duly convened in accordance with law, and the Charter of the City and County of San Francisco, the Board of Election Commissioners of the said City and County duly and regularly canvassed the returns of said general municipal election, and duly declared the results thereof, said Board being by law and the Charter authorized to conduct, manage and control the holding of elections and all matters pertaining to elections in said City and County; and

What amendments ratified.

WHEREAS, At said general municipal election so held on the Fifth day of November One Thousand Nine Hundred and Seven, twenty of said proposed amendments were ratified by a majority of the electors voting thereon, and one of said proposed amendments received less than a majority of the votes of said electors; and

Statement filed.

WHEREAS, Thereafter, to wit, on the Fifteenth day of November One Thousand Nine Hundred and Seven, the said Board of Election Commissioners duly filed with the Board of Supervisors the "Official Statement of Votes polled at the General Municipal Election held in the City and County of San Francisco, State of California, on Tuesday, the Fifth day of November, A. D. 1907, for Charter Amendments \* \* \*," and also filed a duplicate thereof in the Office of the Secretary of State of California; and

Convening of Legislature.

WHEREAS, The Governor of the State of California by virtue of the power and authority vested in him by Section Nine, Article Five of the Constitution of the State of California has convened the Legislature to meet and assemble in extraordinary session on Tuesday, the Nineteenth day of November, A. D. 1907, for the purpose among other things, of taking legislative action upon the four amendments to the Charter of the City and County of San Francisco hereinafter set forth; and

WHEREAS, The said four amendments so ratified by the Electors of the City and County of San Francisco at said General Municipal Election are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with Section Eight of Article Eleven of the Constitution



of the State of California, and are in words and figures as follows, to wit:

That Section 10 of Article XII of the Charter be amended to read as follows:

SECTION 10. The bonds issued under the provisions of this article shall be of such form as the Supervisors in the ordinance calling the election therefor shall determine; but such bonds shall be payable, interest and principal, in gold coin of the United States. The interest on such bonds shall not exceed 5 per cent per annum, and they shall be redeemed at such times and in such amounts as the Supervisors shall determine, as set forth in the ordinance calling the special election; *provided*, that redemption of such bonds shall begin in not more than eighteen years and shall be completed in not more than seventy-five years from the date of the issue.

Bonds for acquisition of public utilities: form and interest.

The bonds so issued shall be exempt from all taxation for municipal purposes and shall be issued in denominations of not less than ten dollars and not more than one thousand dollars, and preference in the sale and allotment thereof shall be given to subscribers for the smallest amounts and the lowest denominations.

Denomination.

The Supervisors shall fix the times and places at which the payment of interest or principal may be made.

Such bonds when issued may be sold by the Supervisors from time to time, as required, and in such quantities as they may determine. When such bonds are offered for sale they shall be advertised in the official paper and otherwise if so ordered by the Supervisors and sealed proposals for the purchase of the whole or any part thereof offered shall be opened at the time specified in such advertisements. All proposals for the purchase of such bonds shall be accompanied by a deposit of 5 per cent of the amount bid in lawful money of the United States or by a deposit of a certified check payable to the Clerk of the Board of Supervisors of the City and County for a like sum, *provided* that no deposit need exceed the sum of ten thousand dollars, and that no deposit need be given by the State of California, which money or check shall be forfeited by the bidder in case he fails to accept and pay for the bonds bid for by him if his bid is accepted. Bonds shall be sold to the highest bidder for not less than par, but the Supervisors shall have the right to reject any or all bids made for the purchase thereof. If less than the amount of bonds offered shall be sold, the Supervisors may, with the concurrence of fourteen members and the Mayor, place such unsold bonds on sale at the City Treasury, or at branches thereof established by the Treasurer for public convenience; and such bonds may be sold to any applicant at such prices as may be fixed by the Supervisors, *provided* that such prices shall not be less than par and accrued interest.

How sold.

The proceeds of any sale of bonds shall be placed in the treasury to the credit of the proper fund, and shall be applied

Proceeds of sale: to what applied.

exclusively to the purposes and objects mentioned in the ordinance authorizing their issue until such objects are fully accomplished; after which, if any surplus remains, such surplus may be transferred to the general fund, except that if such surplus exceeds the sum of two thousand dollars, then such surplus and the whole thereof shall be transferred to the appropriate fund or funds to pay the interest and maintain the sinking fund or provide for the retirement of the bonded indebtedness in connection with which such surplus remains.

Unsold  
bonds.

If the bonds or any of them offered for sale shall remain unsold the Supervisors may so declare, and may, with the concurrence of fourteen members and the Mayor, cancel such unsold bonds, *provided* that no bonds shall be canceled as aforesaid unless the same have been offered for sale by advertisement, as above provided, at least three separate times at intervals of not less than thirty days, *and provided* that no such bonds shall be canceled by the Supervisors as aforesaid for which par or above has been bid by any bona fide responsible bidder or bidders.

Unsold  
bonds  
heretofore  
issued.

The provisions of this section, regarding the cancellation of unsold bonds, shall apply to any bonds that have been heretofore issued or to any bonds that have been heretofore authorized by a vote of the electors of the City and County under this section or under Section 29 of Article XVI of this Charter, and that remain unsold after efforts to sell the same shall have been made as above provided.

Registered  
bonds.

Whenever the owner of any coupon bond, or of any bond payable to bearer, already issued or hereafter issued by the City and County shall present any such bond to the Treasurer with a request for the conversion of such bond into a registered bond, such Treasurer shall cut off and cancel the coupons of any such coupon bond so presented, and shall stamp, print or write upon such coupon bond or such other bond payable to bearer, so presented, either upon the back or upon the face thereof, as may be convenient, a statement to the effect that the said bond is registered in the name of the owner, and that thereafter the interest and principal of said bond are payable to the registered owner. Thereafter, and from time to time, any such bond may be transferred by such registered owner in person, or by attorney duly authorized on presentation of such bond to Treasurer, and the bond be again registered as before, a similar statement being stamped, printed or written thereon. Such statement stamped, printed or written upon any such bond may be in substantially the following form:

(Date—giving month, year and day.)

This bond is registered pursuant to Charter of the City and County of San Francisco, State of California, in the name of — (here insert name of owner), and the interest and principal thereof are hereafter payable to such owner.

Treasurer.

After any bond shall have been registered as aforesaid, the principal and interest of such bond shall be payable to the registered owner. Such Treasurer shall keep in his office a book or books which shall, at all times, show what bonds are registered and in whose names, respectively.

That Section 12 of Article XII of the Charter be amended to read as follows:

SECTION 12. At the time of levying the municipal tax, and in the manner provided for such tax levy, the Supervisors shall levy and collect annually a tax sufficient to pay the annual interest on such bonds and also such part of the bonded municipal indebtedness as will fall due within the succeeding fiscal year, and as may be necessary to provide for the sinking fund payments of the next succeeding fiscal year; *provided* that when the interest and sinking fund payments for any fiscal year on the bonds issued for any public utility can be met out of the surplus earnings of such public utility for the preceding fiscal year, no tax shall be levied for such purpose. Such taxes shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected.

Levy of tax to pay annual interest on bonds.

That Section 29 of Article XVI of the Charter be amended to read as follows:

SECTION 29. When the Supervisors shall determine that the public interest requires the acquisition of any land or lands or the construction or acquisition of any permanent building or buildings, improvement or improvements, the cost of which, in addition to the other expenses of the City and County, will exceed the income and revenue provided for the City and County for any one year, they must, by ordinance, submit a proposition or propositions to incur a bonded indebtedness for such purpose or purposes to the electors of the City and County at a special election to be held for that purpose only. All provisions of this Charter, as the same shall read at the time of submitting such propositions to the electors, providing for the acquisition of public utilities, so far as the same are applicable, shall apply to the manner of submitting such proposition or propositions, to the issuance, character and registration of said bonds and to the time when, and the kind of money in which said bonded indebtedness shall be payable.

Bonded indebtedness, how incurred.

The proceeds of any sale of bonds shall be placed in the Treasury to the credit of the proper fund and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issuance until such objects are fully accomplished, after which, if any surplus remains, such surplus may be transferred to the general fund, except that if such fund exceeds the sum of two thousand dollars then such surplus and the whole thereof shall be transferred to the

Disposition of proceeds of sale of bonds.

appropriate fund or funds to pay the interest and maintain the sinking fund or provide for the retirement of the bonded indebtedness in connection with which such surpluses remain.

That Section 2 of Chapter III of Article IV of said Charter be amended to read as follows:

Treasurer  
to keep all  
moneys.

SECTION 2. The Treasurer shall receive and safely keep all moneys which shall be paid into the Treasury. Except as hereinafter provided, he shall not lend, exchange, use nor deposit the same, or any part thereof, to or with any bank, banker or person: nor pay out any part of such moneys, nor allow the same to pass out of his personal custody, except upon demands authorized by law or this Charter, and after they shall have been approved by the Auditor. At the close of business each day, he shall take an account of and enter in the proper book the exact amount of money on hand. At the end of every month he shall make out and file with the Mayor and publish quarterly in the official newspaper a statement of the condition of the treasury, showing the amounts of receipts into and payments from the treasury, and on what account, and out of what fund. If he violate any of the provisions of this section, he shall be guilty of misconduct in office, and be liable to removal therefrom, and be proceeded against accordingly. He shall keep the accounts belonging to each fund separate and distinct, and shall in no case pay demands chargeable against one fund out of moneys belonging to another. He shall be in personal attendance at his office each day during office hours. No fees of any kind shall be retained by him, but the same, from whatever source received or derived, shall be paid by him into the treasury.

Publi-  
cation of  
statement.

Separate  
accounts.

Deposit in  
banks:  
procedure.

All moneys paid into the treasury of the City and County may be deposited by the Treasurer, upon the written consent of the Mayor, in any licensed national bank or banks, within this State, or in any bank, banks or corporations authorized and licensed to do a banking business, and organized under the laws of this State, *provided* that such bank or banks in which such moneys are deposited shall furnish as security for such deposits, bonds of the United States or of this State, or of any County, Municipality or School District within this State, approved by the Treasurer and the City Attorney. The market value of the bonds furnished as security, shall be at least 10 per cent in excess of the amount of the deposit secured thereby; but the amount of the deposit shall in no case exceed the face value of the bonds furnished as security therefor. *And provided* that such bank or banks shall pay a reasonable rate of interest, not less than 2 per cent per annum, on the daily balances therein deposited.

Rate of  
interest on  
deposits.

The rate of interest shall be fixed annually as herein provided in the month of January of each year on all deposits to be made for such year; *provided*, that the rate of interest for the year ending December 31st, 1907, may be fixed as herein

provided within ten days after this section goes into effect. The rate of interest shall be fixed by the Treasurer, the Auditor and the Mayor, and the same reported in writing to the Board of Supervisors immediately. Said rate of interest shall be a reasonable rate and not less than 2 per cent per annum on the daily balances deposited; and the rate of interest so established for each year as herein provided, shall be the uniform rate of interest required from all banks receiving deposits from the City and County for that year. Interest on all moneys deposited as herein provided for shall belong to the City and County and shall be paid quarterly into the general fund of the City and County except where the law or this Charter otherwise directs.

It shall be the duty of the Treasurer to receive from the bank in which the deposit is made, a receipt or receipts in duplicate, showing the date and amount of deposit and rate of interest to be paid thereon, one copy of which said Treasurer shall keep on file in his office and he shall file one copy with the Auditor.

Receipts  
for  
deposits.

The Treasurer shall keep a record in his office, which shall be open to public inspection, showing at all times the amount of money on deposit in all banks in which the same is deposited, and dates of deposit; also a record of all banks making application for the deposit of the public funds.

Report of  
deposits.

The total amount of public moneys on deposit in any bank shall not at any time exceed 50 per cent of the paid-up capital stock of such depository bank or banks. The Treasurer shall not have on deposit at any one time more than 10 per cent of the public moneys under his control and available for deposit in any bank while there are other qualified banks requesting such deposits, *provided*, that the Treasurer shall not be required to deposit public moneys in any bank outside of the City and County.

Amount  
banks may  
receive.

The receipt issued by any bank for deposits made therein, together with the bonds held as security therefor, shall be held by the Treasurer and be recognized and counted as cash to the amount recited in the receipt by the officers required by law to count the same.

Deposits, with interest thereon, shall be subject to withdrawal on demand of the Treasurer, conjointly with that of the Mayor, and any bank receiving the deposit of public moneys, may, at any time, return the same to the Treasurer, together with interest to date of return, and it shall be the duty of the Treasurer, upon receiving the return of such deposit, to immediately return to such bank all bonds held as security for the deposit returned. When the Treasurer withdraws his deposit, he shall return, on the demand of the bank, such bonds as were held as security for the deposit or portion thereof withdrawn.

Deposits  
subject  
to call.

Should any bank fail to pay any public moneys held on deposit as herein provided, the Treasurer (with the written consent of the Mayor) may, after ten days' written notice to

Sale of  
securities  
for  
deposits.

such bank, proceed to sell at public or private sale such of the bonds held by him as security as he may see fit; *provided, however,* that he shall sell no bonds for less than their face value except at public sale, after ten days' printed notice in the official newspaper. The proceeds of such sale, after paying all expenses, shall be credited to the account of the bank, which deposits the bonds as collateral. Any bank failing to make payment may, at any time before the sale of the bonds is completed, stop such sale by repaying all the moneys deposited with it, together with any expense that may have been incurred by the Treasurer as the result of such failure. Should the proceeds of any such sale fail to fully repay any deposit, the balance remaining unpaid may be collected in an action at law in the name of the City and County.

Treasurer  
not re-  
sponsible  
for loss.

The Treasurer shall not be responsible for any loss of public moneys resulting from the deposit thereof when made in accordance with the provisions of this act. It shall be the duty of the Treasurer to safely keep all evidence of indebtedness issued by banks for deposits made therein and bonds deposited as security and the Treasurer shall be responsible for such evidence of indebtedness and for bonds held as security therefor, together with the interest thereon and the proceeds of any sale of such bonds; and the Treasurer shall be responsible to such bank for the safe return of the securities furnished by it to the Treasurer.

The expenses of transportation of moneys to or from the Treasury to such depositaries shall be borne by such depositaries.

Invest-  
ment of  
moneys.

Nothing in this section contained shall prevent the City and County from buying bonds or otherwise investing its money in any manner now provided by law or this Charter and nothing herein contained as to the disposition of interest and public moneys deposited shall apply to any money received or held by the City and County wherein any law or this Charter provides for the payment of interest or profit thereon into any particular fund.

That Section 1 of Chapter VIII, Article IX, of said Charter be amended, and that a new section be added thereto, to read as follows:

#### CHAPTER VIII.

##### SALARIES AND VACATIONS.

Fire de-  
partment:  
salaries.

SECTION 1. The officers and members of the Fire Department shall receive annual salaries as follows: Chief Engineer, five thousand dollars; First Assistant Chief Engineer, thirty-six hundred dollars; Second Assistant Chief Engineer, three thousand dollars; Battalion Chiefs, each, twenty-seven hundred dollars; Superintendent of Engines, twenty-seven hundred dollars; the Clerk and Commissary of the Corporation Yards, eighteen hundred dollars; Captains, each, eighteen hundred and sixty dollars; Lieutenants, each, seven-

teen hundred and ten dollars; Engineers, each, sixteen hundred and eighty dollars; Drivers, Stokers, Tillermen, Truckmen and Hosemen, for the first year of service, each, twelve hundred dollars; for the second year of service, each, thirteen hundred and twenty dollars; and for the third year of service, and thereafter, each, fourteen hundred and forty dollars; Hydrantmen, each, twelve hundred dollars; Superintendent of Horses, eighteen hundred and sixty dollars; Draymen, each, twelve hundred dollars; Watchmen, each, twelve hundred dollars; Hostlers, each, twelve hundred dollars; Pilots of Fire Boats, each, twenty-one hundred dollars; Engineer of Fire Boats, each, twenty-one hundred dollars; Firemen of Fire Boats, each, twelve hundred dollars.

SECTION 2. Each officer and member of the Fire Department shall be allowed, during each year of his service, a vacation of not less than fifteen days' duration, and also leaves of absence of not less than twenty-four hours' duration, not less times than once in each week. Said vacations and leaves of absence to be without loss of pay. Vacations.

That Section 3 of Chapter VIII, Article IX, be amended to read as follows:

SECTION 3. The commissioners shall, upon the application, duly verified, of any officer or member of the Fire Department who shall have served as an active member of the Fire Department for twenty-five years continuously next preceding the date of said application, or, of any officer or member of the Fire Department who shall have reached the age of fifty-five years, and shall have served as an active member of the Fire Department for twenty years continuously next preceding the date of said application, retire and relieve from service such officer or member; *provided also*, that the Commissioners may, by a unanimous vote, retire and relieve from service, any aged, disabled or infirm officer or member of the Fire Department who has arrived at the age of sixty years, and has served as an active member of the department for twenty years continuously next preceding such age, and who upon examination by two regularly certificated practicing physicians, appointed by the Commissioners for that purpose, may be ascertained to be by reason of such age, infirmity, or other disability, unfit for the performance of his duties. Such retired officer or member shall receive from the Fireman's Relief Fund a monthly pension equal to one-half the amount of the salary attached to the rank held by him for three years prior to the date of his retirement, and the same shall cease at his death. Retirement, pensions.

That Section 1 of Chapter IV, Article IX, be amended to read as follows:

CHAPTER IV.

FIRE COMPANIES.

Fire companies, of whom composed.

SECTION 1. Each Steam Fire Engine Company shall be composed of not more than one Captain, one Lieutenant, one Engincer, one Driver, one Stoker and Six Hosemen.

Each Hook and Ladder Company shall be composed of not more than one Captain, one Lieutenant, one Driver, one Tiller-man and eight Truckmen.

Each Chemical Engine Company shall be composed of not more than one Captain, one Lieutenant, one Driver and one Hoseman.

Each Water Tower Company shall be composed of not more than one Captain, one Lieutenant, one Driver, and one Hoseman.

Each Fire Boat Company shall be composed of not more than one Captain, one Lieutenant, two Pilots, two Engineers, three Firemen and twelve Hescmen.

That a new section to be known and designated as Sec. 4 be added to Chapter III, Article IX, to read as follows:

Chiefs' operators.

SECTION 4. The Chief Engineer may detail for duty as Chiefs' Operators such members of the Department as he may select, not to exceed one such Operator for each Chief, Assistant Chief and Battalion Chief. The members so detailed shall be known and ranked as Chiefs' Operators. Each of said Chiefs' Operators shall receive an annual salary of fifteen hundred dollars. They may be removed from such detail at any time, by the Chief Engineer.

That Section 1. Chapter V of Article VIII, of the Charter of the City and County of San Francisco, be amended to read as follows:

Police department: subordinate officers.

SECTION 1. Subordinate officers of the Police Department shall consist of Captains, who shall each receive an annual salary of twenty-four hundred dollars; Lieutenants, who shall each receive an annual salary of one thousand nine hundred and twenty dollars; Sergeants, who shall each receive an annual salary of one thousand six hundred and eighty dollars; and Corporals, who shall each receive an annual salary of one thousand five hundred and sixty dollars.

That Section 1, Chapter VI of Article VIII, of the Charter of the City and County of San Francisco, be amended to read as follows:

Police force: number and salaries.

SECTION 1. The police force of the City and County shall not exceed one police officer for each five hundred inhabitants thereof. Police officers shall each receive an annual salary of one thousand four hundred and sixty-four dollars.



STATE OF CALIFORNIA }  
 CITY AND COUNTY OF SAN FRANCISCO } ss

This is to certify that we, Edward R. Taylor, Mayor of the City and County of San Francisco, and John E. Behan, Clerk of the Board of Supervisors of said City and County, have compared the foregoing proposed and ratified amendments to the Charter of the said City and County of San Francisco with the original proposals submitting the same to the electors of said City and County at a General Municipal Election held on Tuesday, the Fifth day of November One Thousand Nine Hundred and Seven, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are and each of them is true.

Certificate  
of mayor  
and clerk  
of board of  
super-  
visors.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of said City and County of San Francisco, this 16th day of November One Thousand Nine Hundred and Seven.

EDWARD R. TAYLOR  
 Mayor of the City and County of San Francisco.

[SEAL.]

JOHN E. BEHAN  
 Clerk of the Board of Supervisors of  
 the City and County of San Francisco.

Now, therefore be it

*Resolved, by the Senate of the State of California, the Assembly thereof concurring* (a majority of all of the members elected to each house voting for and concurring herein). That said amendments to the Charter of the City and County of San Francisco as proposed to and adopted and ratified by the electors of said City and County, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the Charter of the City and County of San Francisco.

Approval  
of legisla-  
ture.

## CHAPTER 2.

### *Senate Concurrent Resolution No. 4.*

[Adopted November 23, 1907.]

*Resolved by the Senate, the Assembly concurring,* That the superintendent of state printing be instructed to cause to be printed an edition of five thousand copies of the laws, and amendments to the codes, passed at this extra session, to be indexed by the secretary of state, the same to be stitched and paper covered, and to be delivered to the secretary of state for free distribution, twenty of which copies he shall send to each senator and member of the assembly, which shall be paid for out of the appropriation for legislative printing.

Promulga-  
tion  
of laws.

## CHAPTER 3.

*Committee Substitute for Senate Concurrent Resolution No. 2.*

[Adopted November 23, 1907.]

Banking  
business:  
general  
investigation of.

*Be it resolved, by the Senate of the State of California, the Assembly concurring, That a committee to consist of three Senators and three members of the Assembly be appointed by the President of the Senate, and the Speaker of the Assembly, respectively, for the purpose of securing such information as will enable such committee to make a full and comprehensive report as to the methods usually employed by persons, associations, or corporations, engaged in the banking business, or receiving money on deposit within the State of California, to the end that laws may be enacted by the Legislature of this State improving our banking methods and laws.*

That said committee be and it is hereby empowered to administer oaths and issue all necessary subpoenas directed to persons residing in this State to appear before such committee at a time and place to be named therein, and such person so served, is required to appear and testify before such committee as to all matters and things which he may be examined upon, bearing upon the subject-matter of this resolution and such person shall be required to produce and submit to the inspection and examination by such committee of all books, papers and documents as may be in his possession or control.

That such committee shall have and is hereby given power and authority to incur all necessary expenses to enable it to perform the duties herein specified and that it make its report in writing to the Governor and the Legislature next to meet, and in such report it make such recommendation and prepare such laws as will carry out the purpose contemplated by this resolution.

Appropriation.

That the expenses to be incurred under authority of this resolution shall not exceed in the aggregate, the sum of five thousand dollars (\$5,000), and such amount shall be payable one half out of the contingent fund of the Assembly and one half out of the contingent fund of the Senate. The State Controller shall draw his warrants upon such funds on the presentation of claims audited by the committee and filed by the chairman of said committee, and the State Treasurer shall pay the same.

## CHAPTER 4.

*Assembly Concurrent Resolution No. 2. Relative to adjournment sine die.*

[Adopted November 23, 1907.]

Adjournment.

*Resolved by the Assembly, the Senate concurring, That the two houses of the Legislature adjourn sine die at twelve o'clock noon, on Saturday, November 23, 1907.*