

quieting of Land Titles ;" but shall have no power to subject the city and county to any expense therefor, exceeding the sum of one thousand dollars.

SEC. 40. When any street is located, the Board of Supervisors, when they shall deem it expedient, may order the whole or any portion thereof to be graded, or piled, capped, or planked, after notice of their intention published in some daily newspaper printed in said city and county, for the period of ten days, unless the owners of one half in value according to the assessment-roll as aforesaid, of the lots and land bounded on such street, or a portion of a street, so proposed to be graded, shall have made written objections thereto, within ten days after the first publication of said notice, and deliver the same to the said clerk of the said Board of Supervisors, who shall indorse thereon the date of its delivery.

SEC. 41. If the owners of more than one-half in value, according to the assessment-roll aforesaid, of the lots and land fronting on any street, or portion of a street, or their duly authorized agents, shall petition the Board of Supervisors in writing to grade, or to pile, cap and plank the same—the signatures of the petitioners being verified by their acknowledgment before a Justice of the Peace, or Notary Public, in the form required by law for the acknowledgment of deeds—the Board of Supervisors shall order the same to be done, but in such case they may receive and consider remonstrances for the purpose only of ascertaining whether the petitioners truly comprehend more than one-half of said owners, as in this section required. No order or permission shall be given to grade, or to pile, cap and plank, any street, or a portion of a street, without extending and completing such grading, or piling, capping and planking, throughout the whole breadth of such street, up to the boundary of the lots and lands fronting thereon, except in cases where any street, or portion of a street, has been heretofore graded, or piled, or capped, or planked, in part, and not to the full width of the street, the Board of Supervisors shall order the same graded, or piled, capped and planked, as the case may be, to the full width of said street.

SEC. 42. The total amount of the expense of grading, or piling, capping and planking, any street, or portion of a street, under the provisions of this Act, shall be assessed on all the lots and lands fronting thereon, or liable to be assessed therefor, in proportion to the value thereof—to be assessed in the same manner as provided for sewerage, paving and planking; and the owners of said lots and land shall be liable therefor.

SEC. 43. Before giving out any contract for grading, sewerage, or paving and planking, or piling, capping and planking, of any street or portion of a street, or street-crossing, the Board of Supervisors shall cause notice to be conspicuously posted in the office of Superintendent of Public Streets and Highways, and published in one daily newspaper, printed in said city and county, for a period of ten days, inviting sealed proposals for the work contemplated. All proposals offered shall be delivered to the President of the Board of Supervisors. The Board of Supervisors shall open, examine, and publicly declare them, in open session, and thereupon shall be awarded to the lowest bidder, at the lowest price offered, according to the provisions of the next preceding section; *provided*, that the major part of the owners in value, according to the assessment-roll as aforesaid, of the lots and land liable to be assessed therefor, shall not be required to present sealed proposals, but may, within five days after such award—notice of which award shall be published in one daily newspaper printed in said city and county—elect to do the work at the price the same may have been awarded, and enter into a contract therefor. The Superintendent of Public Streets and Highways shall be authorized, in his official capacity, to enter into written contracts for grading, sewerage, paving and planking, and for piling, capping and planking, upon streets and street-crossings, to be done, or awarded, or elected to be taken by the said owners, according to the provisions of this article. Should the said owners fail to elect, as herein provided, the Superintendent shall enter into a contract therefor with the persons to whom the same may have been awarded. And the said contractor shall execute a bond, with two sureties, to the city and county of San Francisco, in such a sum as the Superintendent shall deem adequate, conditioned for