

provided, that from the month of November to May, inclusive, of each year, such report shall be made on the first Monday of each month; said report shall specify the kind of repairs and the portion or portions of the district in which they are required, together with an estimate of the cost thereof.

SEC. 5. Upon presentation to the Board of Supervisors of the estimate of the Roadmaster of any district, as herein provided, the said Board of Supervisors shall appropriate a sum of money not exceeding the amount of said estimate; provided, that the amount of all appropriations authorized by this Act shall not exceed four thousand dollars for any one fiscal year. All sums so appropriated shall be faithfully applied for the purposes specified in such appropriation; and upon the presentation of the sworn certificate of the Roadmaster of any district, any sum or sums, not exceeding such appropriation, shall be allowed and ordered paid out of the General Fund, in like manner as other demands are allowed and ordered paid.

SEC. 6. For the purposes of this Act, public roads and highways shall include all roads that have been open to the public and used as public highways long enough to evince their utility and necessity, but shall not include any street established by any authorized survey of the city, or City and County of San Francisco, or any part thereof, unless such street shall have been or may hereafter be established across or along such public road or highway, or some part thereof.

SEC. 7. Each Roadmaster is hereby authorized to purchase all necessary timber, planks, or other material for the construction or repair of bridges or culverts, and to hire, at just and reasonable rates, all necessary labor, tools, or implements, for widening, straightening, grading, or otherwise improving such roads and highways. Each Roadmaster shall receive a reasonable compensation, to be paid out of the General Fund, not to exceed five dollars per day for each day's service rendered in the discharge of the duties of his office; provided, that no Roadmaster shall be entitled to receive more than three hundred dollars for all services he may render as such officer, in any one fiscal year.

SUPPLEMENTAL XVI.—*Act concerning Roads, etc.*—Approved April 16, 1859.

SECTION 1. The provisions of an Act entitled "An Act concerning roads and highways," approved April twenty-eighth, one thousand eight hundred and fifty-five, and the provisions of an Act entitled an Act to amend an Act entitled an Act concerning roads and highways, passed April twenty-eighth, one thousand eight hundred and fifty-five, approved April nineteenth, one thousand eight hundred and fifty-six, are hereby declared to be applicable to the City and County of San Francisco, and all roads and highways in that portion of said city and county that was not included in the City of San Francisco as the boundaries of the same, established by an Act entitled an Act to reincorporate the City of San Francisco, passed April fifteenth, one thousand eight hundred and fifty-one, shall be laid out, opened, constructed, and repaired, as aforesaid in the said Acts; provided, that all streets within the said former City of San Francisco, as the boundaries thereof, were established by an Act entitled "An Act to reincorporate the City of San Francisco," passed April fifteenth, one thousand eight hundred and fifty-one, shall be, and they are hereby, excepted from the operations of this Act.

SUPPLEMENTAL XVII.—*An Act in relation to the Exempt Fire Company of the City and County of San Francisco.*—Approved March 26, 1863.

SECTION 1. The Board of Supervisors\* of the City and County of San Francisco are hereby authorized and empowered, in their discretion, to designate and set apart for the use of the Exempt Fire Company in said city and county, the building now occupied by the Manhattan Engine Company, Number Two, situated on Jackson Street, near Montgomery, in said city and county; provided, a suitable building be first procured for the use of said Manhattan Engine Company, Number Two, now occupying the building to be so set apart or designated for the use of the said Exempt Fire Company.

SEC. 2. Said Board of Supervisors are also authorized and empowered, in their discretion, to allow and order paid out of the General Fund in the treasury of the City and County of San Francisco, a sum not to exceed eight thousand dollars, for repairs to such building, and for the purchase of apparatus for the Exempt Fire Company; and the Auditor is hereby directed to audit, and the Treasurer to pay, such sums as are authorized to be paid by this section.

SEC. 3. This Act shall take effect and be in force from and after its passage.

\* In addition to the powers of the Board of Supervisors herein specified, the Legislature of the State, Session 1863, passed the following:

- I. To provide for the payment of a judgment recovered against the City by John Dunn. See Statutes 1863-4, Act CCCXX, p. 228.
- II. To authorize the transfer of certain real estate to the State. Act CCLV, p. 260.
- III. To authorize the sale of certain Railroad Stock. (S. F. & S. J. R. R.) Act CCLXXXVI, p. 437.
- IV. To authorize the appointment of a Matron of the County Jail, etc. Act CCCXXIII, p. 474.