

twenty-eighth day of March, eighteen hundred and fifty-nine, and supplementary to said Acts, approved May eighteenth, eighteen hundred and sixty-one—all and singular, and all Acts or parts of Acts, in conflict with this Act, are hereby repealed; and this Act shall be deemed to be substituted in place of the sections under the head of said article four, and as amendatory of the Act first above recited in this section, and held as part thereof, and shall be taken and deemed a public Act, to take effect from and after its passage. All proceedings which may have been taken under the law for which this law is a substitute, and which are pending at the time this law shall take effect, may be continued and completed under this law; and all advertisements being published at the date of the passage of this Act, shall be published for the respective periods provided by the law in force at the time the publication may have been commenced.

Of the Act of April 25, 1863, the following is not incorporated in the preceding sections,

Sec. 10. The Board of Supervisors, upon receiving a petition for that purpose from the owners of a majority of the property on any one or more blocks, estimating the property by the front foot, in that portion of the city and county of San Francisco lying west of Larkin street and south-west of Ninth street, may order the grading or other improvement of such street or streets, in accordance with the prayer of the petitioners, and without reference to the official width or grade of such street, or streets, and in the same manner as other street improvements provided for in this act; *provided*, that no street shall be raised above or cut below the official grade.

Of the Act of April 4, 1870, the following:

Sec. 12. The Act of March fourteenth, eighteen hundred and sixty-eight, entitled an Act to provide for paving the streets in the city and county of San Francisco, as well as all Acts or parts of Acts conflicting or inconsistent with this Act, are hereby repealed.

Sec. 13. This Act shall be liberally construed to carry out the intentions and purposes of this Act, and shall not be construed so as to affect any contracts heretofore awarded, or assessments issued.

Of the Act of March 31, 1866, the following:

SECTION 1. Whenever street work or grading of any street or part thereof may be deemed necessary by the Board of Supervisors of the city and county of San Francisco, on a portion of any street in front of any lot owned or possessed by the Government of the United States, said Board shall have power to order the whole or any portion of such street in front of any such lot, to be graded, paved, planked, or repaired, any law to the contrary notwithstanding.

SUPPLEMENTAL VII.—*An Act to provide for Paving the Streets in the City and County of San Francisco.* Approved April 2, 1866.

SECTION 1. Whenever a majority of the owners, or their agents, in frontage of any lot or block of land fronting on any street, lane, alley, place, court or street crossing, in the city and county of San Francisco, petition the Board of Supervisors of said city and county, for the construction of the "Nicolson" pavement, the said Board of Supervisors shall order the same to be laid down and constructed under the same laws and regulations as other pavements are constructed, and when the same is completed to the satisfaction of the Superintendent of Streets, the Board of Supervisors may accept the same in the same manner as other pavements are accepted, and be liable to the same restrictions, privileges and rights, and be governed by the same laws and regulations as other pavements are, and no other. Said "Nicolson" pavement shall not cost to exceed twenty-eight cents in gold or silver coin per square foot.*

ARTICLE V.

SUPERVISORS.

Sec. 65. The Supervisors, in their respective districts, shall vigilantly observe the conduct of all public officers, and take notice of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, custody, administration, and disbursement of public funds and property; for which purpose the books, records and official papers, of all officers and magistrates of such district shall, at all convenient times, be open to their inspection. They shall take care that the books and records of all officers in their district are kept in legal and proper form. They shall have power, and it shall be their duty, every month, to examine the accounts of any officer of their respective districts, having the collection and custody of the public funds, to examine and count over the moneys remaining in the hands of such officers, and shall note any discrepancy or defalcation that may be discovered or reasonably

* For Acts authorizing the Board of Supervisors to Open Streets, see Supplemental X.; To Modify Grades of Streets see Supplemental XI.; To establish Grades of Streets, see Supplemental XII.; To Change Grades of Streets, see Supplemental XIII.