

shall deem it expedient, may order the whole, or any portion thereof, to be constructed, or repaired, after notice of their intention so to do has been published for the period of ten days; *provided*, that the owners of one half in frontage of the lots and lands fronting on said street proposed to be graded, may make written objections thereto, within ten days after the first publication of said notice in some daily newspaper published in the city and county of San Francisco, which objections shall be delivered to the Clerk of the Board of Supervisors, who shall indorse thereon the date of its delivery, and such notice shall be a bar to further proceedings under such order; and the grading of such streets shall not again be advertised for a period of six months, unless a majority of the property holders, or the proportion proposed to be graded, shall sooner petition therefor.—[Act May 18, 1861, Sec. 4.]

SEC. 41. The owners of more than one half in frontage of lots and lands fronting on any street, or portion of a street, or their duly authorized agents, may petition to construct, or improve, the same when the Board of Supervisors shall order the same to be done, after notice of their intention to make such improvements, published in some daily newspaper in said city and county for the period of ten days. No order shall be made to construct, or improve any street, or portion of a street, without extending and completing such work throughout the whole breadth of such street; *provided*, that when a portion of a street one half its width has been already graded, or constructed, to the official grade, at the time of the passage of this Act, by the property owners, the lots and land fronting on such graded, or constructed, portion of a street shall not be included in, or liable to, assessment for such grading, or construction; *provided*, further, that the lots fronting on a portion of a street, the grading, or construction, in part, of such street, which may be done after the passage of this Act and without the authority of the Board of Supervisors, shall not be exempt from assessment for the grading and construction as in other cases. The Superintendent of Public Streets and Highways shall furnish the Board of Supervisors such specifications for any contemplated improvements as they may require.—[Act May 18, 1861, Sec. 5.]

SEC. 42. When any street, or portion of a street, has been, or shall hereafter be, constructed, to the satisfaction of the Committee on Streets, Wharfs, and Public Buildings, of the Board of Supervisors, and the Superintendent of Public Streets and Highways, under such regulations as said Board shall adopt, the same shall be accepted by the Board of Supervisors, and thereafter shall be kept open and in repair by the said city and county, the expense thereof to be paid out of the Street Department Fund; *provided*, that the Board of Supervisors shall not accept of any portion of a street less than the full width thereof from curb to curb, inclusive, and one block in length, or one entire crossing. The Superintendent of Public Streets and Highways shall keep in his office a register of all accepted streets, the same to be indexed, so that reference may be easily had thereto.—[Act May 18, 1861, Sec. 6.]

SEC. 43. Before giving out any contract for the construction, or improvement, of any street, the Board of Supervisors shall cause notice to be conspicuously posted in the office of the Superintendent of Streets and Highways, and also published for ten days inviting sealed proposals for the work contemplated. All proposals offered shall be delivered to the Clerk of the Board of Supervisors, and they shall in open session, open, examine, and publicly declare, the same, and award said work to the lowest responsible bidder; *provided*, said Board may reject any and all bids, should they deem it for the public good, and also the bid of any party who may have proved delinquent, or unfaithful, in any former contract with said city, or county; *provided*, also, that the owners of the major part of the frontage of the lots and lands liable to be assessed therefor, shall not be required to prevent sealed proposals, but may, within five days after the first publication of notice of such award, elect and enter into a written contract to do the whole work at the price at which the same may have been awarded. Should said owners fail to commence the work within fifteen days after the first publication of the notice of the award, it shall be the duty of the Superintendent of Public Streets and Highways, to enter into a contract with the original