

in the same manner and from the same fund from which other street improvements in front of public property are paid.

SEC. 3. It shall not be lawful for the Board of Education or the Board of Supervisors of the City and County of San Francisco, to dispose of any real estate belonging to the School Department, except fifty-vara lot three hundred and one, and the lot on which the Colored School House is located, on Broadway between Powell and Mason streets, which lots the Board of Education with the consent of the majority of the Board of Supervisors, are hereby authorized to sell at public auction, after giving thirty days' notice in some public newspaper in said city and county: *provided*, that one-half of the proceeds of such sale shall be placed to the credit of the School Fund, to pay any deficit in the School Fund for the fiscal year eighteen hundred and sixty-seven and sixty-eight.

SEC. 4. It shall be the duty of the Committee on Finance and Auditing of the Board of Education, during the month of July of every year, to make an annual estimate of all revenues and disbursements of the School Department for the current fiscal year, specifying separately the amount of funds necessary to defray the different items of expenditures for the first and last half year; and in no case shall it be lawful for the said Board to exceed, during the first half year, the estimated items of expenditures for that period, or, in the entire year the revenues collected for school purposes. All surplus or unexpended funds of any half year shall be available for expenditures for the following half year. The Auditor and Treasurer shall conform strictly to the provisions of this section.

SEC. 5. At the election of the city and county officers for the City and County of San Francisco, in the year eighteen hundred and seventy, and at the election held every two years thereafter, there shall be elected a Superintendent of Common Schools in and for said city and county, who shall hold his office for the term of two years, from and after the first Monday of December subsequent to his election, and until his successor is elected and qualified. [Amendment, Act December 10, 1869.]

ARTICLE IV.

PUBLIC STREETS AND HIGHWAYS.

[Sections 35-64, inclusive, of the original Act, are repealed by the following, which is substituted therefor.]

SUPPLEMENTAL X.—*An Act amendatory of Article Fourth of an Act entitled "An Act to repeal the several Charters of the City of San Francisco, to establish the Boundaries of the City and County of San Francisco, and to consolidate the Government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, repealing Sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Four."*—[Approved April 25, 1862.]

SECTION 1. All the streets, lanes, alleys, places or courts, as laid down on the map now in the office of the City and County Surveyor of the City and County of San Francisco, which was made official by the Board of Supervisors of said city and county as per Order Number Six Hundred and Eighty-four, January thirtieth, eighteen hundred and sixty-six, signed by George C. Potter and Thaddeus R. Brooks, and all other streets, lanes, alleys, places or courts, now dedicated to public use, are hereby declared to be open public streets, lanes, alleys, places or courts for the purpose of this law; and the said Board of Supervisors are hereby invested with jurisdiction to order any of the work mentioned in section three of this Act to be done on any of said streets when the grade and width of said streets have been officially established.—[Amended April 4, 1870.]

SEC. 2. All streets, lanes, alleys, places or courts which may be hereafter officially established, and all which may hereafter be dedicated to public use, shall be deemed and held to be open public streets, lanes, alleys, places or courts; and whenever the grade and width of said streets, lanes and alleys, and the grade and size of said places or courts shall have been officially established, the Board of Supervisors shall have the same jurisdiction to order work to be done as is thereon conferred upon them by section one of this Act.—[Amended April 4, 1870.]

SEC. 3. The Board of Supervisors are hereby authorized and empowered to order the whole or any portion of the said streets, lanes, alleys, places or courts, graded or regraded, to the official grade, planked or replanked, paved or repaved, or macadamized, piled or repiled, capped or recapped, and to order sidewalks, sewers, cesspools, manholes, culverts, curbing and crosswalks, to be constructed therein, and to order any other work to be done which shall be necessary to make and complete the whole or any portion of said streets, lanes, alleys, places or courts, and they may order any of the said work to be improved. The work provided for in this Act shall not be deemed to be "specific improvements," within the meaning of section sixty-eight, Article V, of Chapter one hundred and twenty-five of the Act entitled an Act to repeal the several Charters of the City of San Francisco, to establish the boundaries of the City and