

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 a 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.

The provisions of the general Act concerning Roads and Highways have been extended over the City and County of San Francisco by the following:—[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 Francisco as the boundaries of the same [were] established by an Act entitled an Act to re-incorporate 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 re-incorporate 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 XI.—*An Act to confer further Powers upon the Board of Supervisors of the City and County of San Francisco.*—Approved April 25, 1863.

SECTION 1. That the Board of Supervisors of the City and County of San Francisco shall have full power and authority to provide, by order, for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, or alley, within the bounds of said city, which, in their opinion, the public welfare or convenience may require; to provide for ascertaining whether any and what amount in value of damage will be caused thereby, and what amount of benefit will thereby accrue to the owner or possessor of any ground or improvements within said city and county, for which such owner or possessor ought to be compensated, or ought to pay a compensation, and to provide for assessing and levying either generally on the whole assessable property within said city, or specially on the property of persons benefited, the whole, or any part of the damages and expenses which they shall ascertain will be incurred in locating, opening, extending, widening, straightening, or closing up the whole or any part of any street, square, lane, or alley, in said city and county; to provide for granting appeals to the County Court of the City and County of San Francisco, from the decisions of any Commissioners or other persons, appointed in virtue of any ordinance, to ascertain the damage which will be caused or the benefit which will accrue to the owners or possessors of grounds or improvements, by locating, opening, extending, widening, straightening, or closing up, in whole or in part, any street, lane, or alley, within said city and county, and for securing to every such owner and possessor, the right, on application, within a reasonable time, to have decided, by a jury trial, whether any damage has been caused, or any benefit has accrued to them, and to what amount; to provide for collecting and paying over the amount of compensation adjudged to each person entitled, and to enact and pass all orders, from time to time, which shall be deemed necessary and proper to exercise the powers and effect the objects above specified: *provided*, nevertheless, that before the Board of Supervisors of the City and County of San Francisco proceed to execute any of the powers vested in them by this Act, at least thirty days' notice shall be given of any application which may be made for the passage of any order, by advertisement in at least two of the daily newspapers of the City and County of San Francisco having the largest circulation: *provided*, further, that whenever any street or part of any street in the said city and county, occupied or used by the track of any railroad company, shall require to be altered or widened for the convenience of public travel, and proceedings for the altering or widening the same shall have been taken under the provisions of this Act, it shall be lawful for the Commissioners appointed as in this Act provided, and whose duty it may be,