

votes shall be necessary to pass any ordinance, order, or resolution over such veto; otherwise such ordinance, order, or resolution shall be of no validity.

SEC. 3. If a member of said Board of Supervisors shall hereafter absent himself from the State, or shall neglect to attend the meetings of said Board for the period of ninety days, his office may be declared vacant by the Board, and a successor may be appointed† for the unexpired term, as provided in other cases.

SEC. 4. This Act shall be construed so as to harmonize with existing laws in regard to the powers and duties of said Board of Supervisors; and all such laws shall continue in full force, except so far as they may be inconsistent or in conflict with the provisions of this Act; and only so far as they are inconsistent or in conflict with this Act they are hereby repealed.

SUPPLEMENTAL XXVI.—*An Act to confer Additional Powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to Authorize certain Appropriations of Money by said Board.*—Approved March 27, 1874.

SECTION 1. The Board of Supervisors of the City and County of San Francisco are hereby authorized to appropriate, allow, and order paid out of the General Fund, the several sums of money hereinafter mentioned, and to exercise the powers following:

*First*—[Obsolete.]

*Second*—To allow and order paid to the San Francisco Homeopathic Medical and Surgical Dispensary, a sum not to exceed fifty dollars per month, from February first, eighteen hundred and seventy-three, for drugs and medicine furnished at said Dispensary, free of charge to indigent persons, said persons having also received gratuitous medical treatment and advice.

SEC. 2. The Board of Supervisors of the City and County of San Francisco are hereby further authorized and empowered—

*First*—To receive and accept from the owners or claimants of the lots and lands lying contiguous to Channel Street and Mission Creek, from Ninth to Eighteenth streets of said city, a deed or deeds of a tract of land not less than fifty feet in width, and without abrupt curves or short angles, to be located on a line to be laid out by, and to be satisfactory to, said Board of Supervisors, for the construction of a sewer therein and for the purposes of a public street.

*Second*—The said Board of Supervisors are hereby authorized to acquire by purchase, for such considerations as to said Board shall seem reasonable, any of the lots or lands hereinbefore described, for the purposes of said sewer and street, as cannot be acquired by voluntary gift or donation, and to order payment of such considerations out of the General Fund of the treasury of said city and county.

*Third*—For the purpose of acquiring title to all such portions of said lots and lands as may not be acquired under the provisions of the first and second subdivisions of this section, the said Board of Supervisors is hereby authorized and required to cause the same to be condemned and appropriated to public uses for the purposes of said sewer and street. The Mayor, Auditor, and Tax Collector of said city and county are hereby appointed and constituted Commissioners, with power to ascertain and determine the value of the lands and the sums to be paid therefor to the owners thereof. In case of a vacancy in said commission, by reason of any member thereof being disqualified from acting, or for other cause, the County Judge of said city and county shall fill such vacancy by appointment of some competent and disinterested person. The moneys to be paid for any lands under the provisions of this Act must be paid out of the General Fund of the treasury of said city and county. The said proceedings to acquire title to lands, except as herein otherwise provided, must conform to the provisions of the Act approved April first, eighteen hundred and seventy-two, entitled "An Act to Open and Establish a Public Street in the City and County of San Francisco, to be called Montgomery Avenue, and to take Private Lands therefor," and to the provisions of any other Act passed at the present session of the Legislature, defining the powers of said Board of Supervisors, which are hereby made applicable to this Act, so far as the same are not inconsistent therewith.

*Fourth*—The said Board of Supervisors are hereby authorized and required, under such rules and regulations as they may prescribe, to sell at public auction to the highest and best bidders, all of said Channel Street and Mission Creek, from Ninth to Eighteenth streets, except such portions thereof as may be required for the purposes of the sewer and street herein provided for. The lands so offered for sale shall first be surveyed and subdivided into lots, conforming, as near as may be practicable, in form and size to the lots next contiguous thereto. Streets in conformity to and connecting with the streets laid down upon the official plan of said city shall be reserved and dedicated to public use. A deed from the Mayor of said city and county, executed to the purchaser of any lot after full payment therefor shall have been made, shall vest the title of such lot in such purchaser. The proceeds of said sales shall be paid into the General Fund of the treasury of said city and county. The said Commissioners shall receive for their services such compensation as the Board of Supervisors may allow.

*Fifth*—Whenever the said city and county shall have acquired the lands herein mentioned for said sewer and street, the said Board of Supervisors are authorized to open and improve said street, and construct said sewer of such material and capacity as said Board may determine, and are authorized to appropriate, allow, and order paid out of the General Fund such sums as may be necessary for such purposes.

\* For provisions in relation to unexpired terms, see Article I, Sec. 6, page 876.

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