

thereof shall be finally ascertained and fixed, either by confirmation of the County Court as aforesaid, and no notice and undertaking being given as hereinbefore prescribed, or by the confirmation, correction, or modification of the report of the Commissioners by the Supreme Court, the Mayor of the said city shall cause a transcript to be made, and in the form used for assessment rolls in said city, except that in such assessment roll to be made from such report as confirmed shall be set down in separate columns:

*First.* The names of all persons, corporations, and companies assessed, when known, and if not known, then that fact to be stated.

*Second.* The description of the land in respect to which they are assessed.

*Third.* The amount to which such persons shall respectively be assessed.

*Fourth.* The amount of damages, if any, to which such persons are respectively entitled by the award of the Commissioners.

*Fifth.* The amount of the excess, if any, to be collected; to which said transcript, when so made, the Mayor shall annex his warrant, and the same shall be thereupon collected in the manner then prescribed by law for the collection of general taxes in said city and county, and shall in like manner be a lien upon the respective tracts and parcels of land, corporations, and companies, as aforesaid.

SEC. 16. The expenses of any public improvement herein authorized shall be defrayed by assessment on the owners and occupants of houses and lands, corporations and companies, that may be benefited thereby.

SEC. 17. Whenever the amount of any damages for taking any lands as aforesaid shall be finally ascertained and fixed, either by confirmation of the County Court as aforesaid, and no notice and undertaking being given within the time above prescribed, or by the confirmation thereof by the Supreme Court, it shall be the duty of the said Board of Supervisors to cause the said damages and the other expenses of said improvement to be collected upon the said assessment roll as aforesaid, and when so collected they shall forthwith pay the amount of such damages to the owners and occupants of lands and tenements, or to persons having any liens thereon to whom the same shall have been allowed; and in case such owners be unknown non-residents of the said city, married women, infants, idiots, or lunatics, or the rights and interests of persons claiming the same shall, in the opinion of the Board of Supervisors, be doubtful, it shall be lawful for the said Board of Supervisors in any such case to pay the amount of such damages into the office of the Clerk of the said County Court, accompanied by a statement of the facts and circumstances under which said payment is made, and describing the lands and tenements taken by the said City and County of San Francisco for which such damages have been awarded; but the City and County of San Francisco shall not be liable for any expense of such public improvement beyond the moneys actually collected for the same, except as hereinbefore provided.

SEC. 18. Until such damages shall be paid as aforesaid, it shall not be lawful for the said Board of Supervisors or any of their officers or Agents to take or enter upon any lands or tenements for the taking of which any such damages shall have been allowed.

SEC. 19. Upon any such damages being paid into the said County Court, the said Court shall take order for the investment thereof and of the interest arising thereupon after the manner of Courts of Equity in regard to trust funds deposited therein, and shall cause the securities taken on such investments to be transferred, and the money on hand to be paid over to the persons entitled to such damages, their guardians, or legal representatives, in the manner prescribed by law respecting moneys belonging to doubtful or unknown owners, and deposited in District Courts, and the same proceedings in all respects shall be had to ascertain the rights and interests of such persons.

SEC. 20. If any title attempted to be acquired by virtue of this act shall be found to be defective from any cause, the said Board of Supervisors may again institute proceedings to acquire the same, as in this act provided, or if proceedings have been had in the said County Court in regard to such public improvements as herein provided, may summon the owner, occupant, or claimant of such lands to appear, in the first instance in such County Court and show cause why Commissioners should not be appointed and proceedings thereafter had from that point in and by said Court in relation to said lands as herein provided. Upon the return of such new proceedings so had by the Board of Supervisors as hereinbefore provided, or upon the return of a summons duly served in the respective case, the said County Court shall have and take jurisdiction of the proceedings, and such proceedings shall be thereafter had in the same by said Court from that point as hereinbefore provided, and with the like effect. At any stage of such new proceedings, or of any proceedings under this act, the said County Court, or the Judge thereof at Chambers, may, by an order made in that behalf, authorize the said city and county, if already in possession of any of such lands, to continue in such possession and the use thereof for the purposes of such improvements; *provided*, said city and county shall pay a sufficient sum into Court, or give security, to be approved by said County Court or Judge, to pay the compensation in that behalf when ascertained.