

premises; and by a like notice to be served personally upon the president or any officer of a railroad corporation or company, or to be left at the office of said corporation or company, to require such corporation or company to improve forthwith any work mentioned in this Act which said corporation or company are required by law to do and perform; said notice to specify what improvement is required or work is to be done. After the expiration of three days, the said Superintendent shall be deemed to have acquired jurisdiction to contract for the doing of the work, or making the improvements, or the removing the filth and dirt required by said notice. If such improvement or work of cleaning be not commenced within three days after notice given as aforesaid, and diligently and without interruption prosecuted to completion, the said Superintendent may enter into a contract with any suitable person applying to make said improvements or to do said cleaning, at the expense of the owner, tenant or occupant, or railroad corporation or company, as the case may be, at a reasonable price, to be determined by said Superintendent; and such owner, tenant or occupant, or railroad corporation or company, shall be liable to pay the same. After the certificate referred to in section fifteen shall have been recorded, the sum contracted to be paid shall be a lien, the same as provided in section ten of this Act, and also a lien upon the franchise and property of said corporation or company, and may be enforced in the same manner as other assessments. [Amended, March 26, 1868.]

SEC. 15. If the expense of such improvements, or removing such dirt and filth after the completion thereof, be not paid to the contractor so employed, or his agent or assignee, on demand, the said contractor or his assigns shall have the right to sue the owner, tenant or occupant, or railroad corporation or company, under the provisions of this Act, for the amount contracted to be paid, and the certificate of the Superintendent that the work has been properly done, and that the charges for the same are reasonable and just, shall be *prima facie* evidence of the amount claimed for said work and of the right of the contractor to recover for the same in such action. [Amended, March 26, 1868.]

SEC. 16. In addition, and as cumulative to the remedies above given, the Board of Supervisors shall have power, by resolution or ordinance, to prescribe the penalties that shall be incurred by any owner, tenant, occupant, or railroad corporation or company, neglecting or refusing to make improvements or remove dirt and filth, as provided for in section fourteen of this Act; which fines and penalties shall be recovered for the use of the City and County, by prosecution in the name of The People of the State of California, as in other cases provided for in subdivision eleven of section fifteen, chapter four hundred and ninety-three, on page five hundred and forty-four of the Statutes of said State, approved May eighteen, eighteen hundred and sixty-one, and may be applied if deemed expedient by the said Board, in payment of the expenses of any such improvements when not otherwise provided for. [Amended, March 26, 1868.]

SEC. 17. The person in whose name the lots and lands shall stand assessed on the assessment roll in the office of the Assessor of the City and County of San Francisco or the owner in fee, or the person in possession thereof claiming to own the same or exercising acts of ownership over the same at the date of said assessment, shall be regarded and deemed to be the owner (for the purpose of this law), according to the true intent and meaning of that word, as used in this Act. [Amended, April 4, 1870.]

SEC. 18. Any tenant or lessee of the lands or lots liable, may pay the amount assessed against the property of which he is the tenant or lessee, under the provisions of this Act, or he may pay the price agreed to be paid, under the provisions of section fourteen of this Act, either before or after suit brought, together with costs to the contractor, or his agent or assigns; or he may redeem the property, if sold on execution or decree, for the benefit of the owner, within the time prescribed by law, and deduct the amount so paid from the rents due, and to become due, from him; and for any sum so paid beyond the rents due from him, he shall have a lien upon, and may retain possession of the said lands and lots, until the amount so paid and advanced be satisfied, with legal interest, from accruing rents or by payment by the owner.

SEC. 19. The records kept by the Superintendent of Public Streets and Highways, in conformity with the provisions of this Act, and signed by him, shall have the same force and effect as other public records; and such records, or copies thereof duly certified by said Superintendent, may be used in evidence with the [same] force and effect as the original assessments, diagrams and warrants. The said records shall, during all office hours, be open to the inspection of any citizen wishing to examine them, free of charge. [Amended, March 26, 1868.]

SEC. 20. Notices in writing which are required to be given by the Superintendent, under the provisions of this Act, may be served by any Police Officer, with the permission of the Chief of Police, and the fact of such service shall be verified by oath of the person making it, taken before the Superintendent (who is hereby authorized to administer oaths), Police Judge, or any Judge, or Justice of the Peace; or such notices, whether verbal or written, may be delivered by the Superintendent himself. The Superintendent shall keep a record of the fact of giving such notices, when delivered by himself, personally, and also of the notices and proof of service, when delivered by any other person.