

fees, and all other costs of prosecution; said ten per cent to be paid into the Urgent Necessity Fund of said city and county.—[Amendment April 4, 1864.]

SEC. 8. For seizing or selling personal property, as provided in this Act, the Tax Collector shall be entitled to charge and retain in each case, the sum of three dollars, and the same mileage that a Sheriff would be entitled to receive for traveling to the place to make a levy, the same to be added to the costs, and to be recovered from the delinquent party.

SEC. 9. The bill of sale of the Tax Collector shall vest full title to the property sold in the purchaser.

SUPPLEMENTAL XX.—*An Act to facilitate the Collection of Delinquent Taxes in the City and County of San Francisco.*—Act March 31, 1866.

SECTION 1. On the Saturday next preceding the second Monday in September of each year, the Tax Collector of said city and county shall have completed a list of the names, alphabetically arranged, of all persons, firms, corporations, and associations, who have not paid the taxes for the current fiscal year, on the personal property assessed to them, giving the name of each person, firm, corporation, or association, so delinquent for and owing such taxes, and giving, opposite each name, the gross amount due for such taxes and costs, inclusive of twenty-five cents in each such case, which shall be charged and collected for the purpose of defraying the expenses of publication of said list. The said publication of said list shall be made by not less than one insertion, one time per week, for three successive weeks, in such daily newspaper, or a supplement thereto, published in said city and county, and in such form as the Mayor, Auditor, and Tax Collector, or a majority of them, may order, such order to be filed in the office of the Clerk of the Board of Supervisors; the first insertion herein provided for, to be on or before the third Monday in said September. The said Tax Collector shall pay into the Special Fee Fund of said city and county each and every such sum of twenty-five cents, herein provided to be charged and collected, and the Board of Supervisors are hereby empowered to authorize payment, out of said fund, of the necessary expenses of such publication.

SEC. 2. On and after the first Monday in January, in each year, the Tax Collector shall charge, on all taxes on personal property, then and for the then current fiscal year, remaining unpaid, five per cent thereof, which shall be in addition to all other costs and charges, now by law imposed in such cases. The Tax Collector shall pay into the Special Fee Fund of said city and county all sums of money so collected by him as such five per cent.

SEC. 3. The Sheriff and each Constable in said city and county is hereby prohibited from releasing from levy and attachment any personal property on which any taxes are due and payable to the State, and said city and county, or on which any such taxes, by course of law, have become a lien; also, from paying over to any creditor or other person the proceeds of sale, or any portion thereof, of any such personal property, on which any such taxes are so due, or have become a lien.

SEC. 4. The Treasurer of said city and county is hereby required to retain from any amount of money, due and payable from said city and county, to any person or persons owing and liable for any personal property or poll tax to the State and said city and county, or either, and to pay over to the Tax Collector such sum or amount as is due for such tax and costs: *provided*, the said Treasurer shall have been first served by the Tax Collector with a notice that such a tax is due, the amount thereof and costs, being mentioned in such notice. An assignment of any demand on the treasury shall in no wise defeat the object of this section.

SEC. 5. No order or decree for the distribution of any property of any decedent, shall be made by the Probate Judge, until the administrator or administrators, executor or executors, executrix or executrices, (as the case may be) shall have filed in the Probate Court, his or her or their good and sufficient affidavit, that all personal property taxes due the State and said city and county, that have attached to or accrued against the estate of such decedents, have been fully paid.

SEC. 6. The District Attorney shall pay into the Special Fee Fund of said city and county, all sums of money collected by him by law, as District Attorney's fees, in suits for the collection of delinquent personal property taxes, and the Board of Supervisors are hereby empowered to authorize, by resolution, to be paid out of the said fund such amount or amounts as they may deem necessary and proper, for the payment of such professional aid to [the] District Attorney, as he may need and employ, in such suits for the collection of delinquent personal property taxes; *provided*, such amount or amounts, so authorized, shall not exceed the sums of money so collected as District Attorney's fees, and paid into said fund by the said District Attorney.

SEC. 7. Whenever any person, party, firm, corporation, or association, shall have been served by the Tax Collector, or by a Deputy Poll Tax Collector, with a notice, written or printed, or both, that a certain person in his or their employ, and in such notice mentioned, has refused or neglected to pay a poll tax or poll taxes, then due and payable, the amount so due and payable being mentioned in such notice, then and immediately such person, party, firm, or corporation,