

ments, and the judgment or decree in every case shall be made payable in and entered for gold coin. [Amended April 4, 1870.]

SEC. 14. The Superintendent of Public Streets and Highways may require, at his option, by notice in writing to be delivered to them personally or left on the premises, the owners, tenants or occupants of lots or portions of lots liable to be assessed for work done under the provisions of this Act to improve forthwith any of the work mentioned in section three of this Act in front of the property of which he is the owner, tenant or occupant, to the center of the street or otherwise, as the case may require, and to remove all dirt or filth from the street in front of his 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 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 such 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, or 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 land and lots, until the amount so paid shall have been 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.]