

amount expended in front of said property, by suit against the owner or owners.

799. The said owner or owners may in such action defend themselves against any such claim for expenses of paving and the collection thereof, by proof that no such nuisances existed, or that the paving of the said street, lane or alley was not necessary to the removal or abatement thereof, or that such nuisance was caused by an act or ordinance of said city or its officers in the execution of their duty.

800. The expenses of such paving, and the expenses incident to the collection thereof, shall be a lien upon the property chargeable therewith, and when the right of the city to recover the same has been determined, the mayor and city council may levy such expenses upon said property.

801. If any of said property shall be owned by persons not resident within the limits of said city, then after public notice given at least three times a week for three successive weeks in two newspapers of the city, by advertisement, describing the property chargeable, the amount of expense with which it is chargeable, and, if known, the name of the owner or owners thereof, the mayor and city council may proceed to levy said expenses upon the interest of such non-resident in said property, without any previous suit to determine their right to the same.

802. Such non-resident may, at any time within three months after said expenses have been levied and collected, institute an action against the mayor and city council for the recovery of the same, and if it shall appear in such action that public notice was not given as hereinbefore directed, or that no such nuisance existed, or that the paving of said street, lane or alley was not necessary to the removal or abatement thereof, or that the same was caused by any act or ordinance of the city, or by its officers in the execution of their duty, such non-resident shall recover the expenses of paving and collection so levied upon his property.

803. Whenever any nuisance dangerous to the health of the city shall be found upon any vacant lot within the city, the mayor and city council may remove or abate the same, and shall have the same remedy against the owner of such lot for the expense of so doing as are given in the five preceding sec-