

" 8. Any action for the recovery of the wages of servants, apprentices, domestics or persons engaged by the day, or for damages arising therefrom, when the amount does not exceed twenty-five dollars." Jurisdiction in suits for wages, &c

2. Section 4 of the said act is amended by adding thereto the following paragraph : Id., s. 4, amended.

" 3. The Recorder's Court may hear and determine in a summary manner all offences provided for by articles 2783 to 2793, inclusively, of the Revised Statutes, in so far as the provisions thereof may apply to the city, and article 2782 of the said Statutes applies to the Recorder *mutatis mutandis*." Further jurisdiction, &c.

3. Section 6 of the said act is amended : Id., s. 6, amended.

1. By replacing the word : " pleasure," in the third line, by the words : " good behavior."

2. By adding thereto the following words :

" He may be dismissed by the Lieutenant-Governor on a joint address of the Legislative Council and Legislative Assembly."

4. Paragraph 2 of section 6 of the said act, as amended the act 52 Victoria, chapter 58, section 1, is again amended by replacing the words : " two thousand five hundred dollars," in the first line, by the words : " three thousand dollars." Id., s. 6, §2, amended.

5. This act shall come into force on the day of its sanction. Coming into force.

CAP. XLIX.

An act to amend the charter of the city of Montreal.

[Assented to 21st December, 1895.]

WHEREAS the city of Montreal has, by its petition, presented that it is expedient to grant it certain more extended powers, and it has consequently become necessary to amend its charter ; and whereas it is expedient to grant the prayer of such petition ; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 32 of the charter of the city of Montreal, 52 Victoria, chapter 79, is replaced by the following : 52 V., c. 79, s. 32, replaced.

" 32. No person qualified as tenant is entitled to vote at any election of mayor or alderman, unless, prior to the Tenants to pay taxes and assessments,

and instalments of water-rates due, to enable them to vote.

first day of December preceding the holding of such election, he shall have paid the amount of all taxes and assessments, and of all instalments of water-rates then due and payable in virtue of the by-law made under section 260a, special assessments for local improvements excepted."

Certain resolution of 9th July, 1895, ratified.

2. The resolution of the council, adopted on the ninth of July, eighteen hundred and ninety-five, allowing the rate-payers to pay the water-rates for the current year (1895) in several instalments, is hereby ratified and confirmed; and any person, who, being qualified to vote as a tenant, shall, before the first day of December of the present year (1895), have paid the instalments exigible up to that date in accordance with said resolution, shall, for the coming municipal elections, retain the right to have his name inscribed upon the voters' list, as if the whole of the water-rate in his case had been paid.

Id., s. 38, amended.

3. Section 38 of the said charter, as replaced by section 7 of the act 57 Victoria, chapter 56, is amended by adding thereto the following clauses:

When Board of Revisors to meet and duties thereafter.

"The Board of Revisors shall meet on the fifth day of January, at the hour of ten in the morning, and, after choosing one of their members as chairman, it shall adjourn from day to day until it has disposed of all applications or objections in connection with the list of electors; and, after hearing such evidence as, from the nature of the case, may be deemed sufficient and reasonable,—the witnesses being previously sworn before one of the members of the board,—and the parties interested or their representatives if they be present, it shall make such additions to or strike names from the list as may be necessary, and correct all errors in the names and all clerical errors which may be found in it.

Provided that nothing in this section contained shall prevent the board from striking from the list the name of any minor or deceased person, and of any tenant who shall appear as not having paid his taxes or water-rate before the first day of December as aforesaid, or of any person who may be reputed deceased at the time of the revision of the list, or whose name may be entered more than once on the list for a ward; provided always, that the list be finally revised before nomination day.

The list, so revised, and finally settled shall be certified, according to Form C, signed by the chairman, countersigned by the clerk, by his written signature, or by a stamp affixed by his representative or representatives, and deposited in the archives of the office of the city clerk, for all municipal or legislative purposes.

An extract of the municipal list, certified by the city clerk shall serve for the provincial elections; provided that all

the names of electors having a right to vote at the provincial elections be added thereto, and that the names of the electors not having a right to vote at the said elections be struck therefrom, and that the revision of the list for that purpose be made at the same time as the revision for municipal purposes and by the same persons.

The revisors shall complete the revision of the municipal list before the twentieth of January, and they shall continue to sit to revise the provincial list until the first of February, and they shall receive for that work the same remuneration as for the other.

The city clerk shall specify in the notices the time when the electors must appear before the revisors or submit their petitions.

Copies of such list and extract, certified by the clerk as aforesaid, shall be deemed authentic for the requirements of this act."

4. All reports of committees, and all resolutions of council, involving the expenditure of money, must, before the same can be legally passed by the council, be accompanied by a certificate from the comptroller that there are unappropriated funds at the credit of such appropriation, or out of the loan or reserve fund, as the case may be, sufficient to cover the same; and no contract or agreement shall be binding upon the city until the same has been submitted to and passed by the council.

Certificate of comptroller required for certain reports and resolutions involving expenditure.

5. Every alderman who shall vote any sum exceeding the balance so unappropriated, shall be personally responsible therefor, and shall *ipso facto* lose the right of sitting in the city council for five years.

Liability of aldermen voting for expenditure exceeding balances.

2. The comptroller-auditor shall, yearly, along with his report, furnish a sworn statement showing the available balance as well upon the revenue account as upon the loan fund.

Statement to accompany auditor's report.

3. Neither the treasurer, the clerk, nor the comptroller-auditor can be dismissed from office, except upon a vote of two-thirds of the council.

Dismissal of certain officers.

4. The treasurer shall be personally responsible for every sum of money which he shall pay, knowing that it exceeds the appropriations voted by the council for the purpose in question.

Responsibility of treasurer for certain payments.

6. Subsection 4 of section 19 of the act 55-56 Victoria, chapter 49, is repealed, and section 81 of the said charter is amended by adding the following paragraphs thereto:

55-56 V., c. 49, s. 19, §4, repealed, and 52 V., c. 79, s. 81, amended.

"9. A tax not exceeding two dollars on bicycles, tricycles and other vehicles of that kind. This provision shall not apply to such vehicles when used by children under ten years of age ;

Tax on bicycles, &c. Proviso.

Tax on tele-
phone, &c.,
poles.

10. A tax not exceeding fifty cents on all telephone, telegraph and electric poles.

Nothing in this clause shall affect the rights acquired under the contract between the city of Montreal and the Royal Electric Company, if any exist;

Tax on public
laundries.

11. A tax not exceeding one hundred dollars on each public laundry doing business in the city;

Tax on junk
and second-
hand stores,
&c.

12. A tax not exceeding fifty dollars on junk and second-hand stores; and the city is given the right to authorize and regulate the granting of licenses to persons keeping such stores or shops."

Section added
after 52 V.,
c. 79, s. 90.

7. The following section is added after section 90 of the said charter :

President of
assessors to be
indicated by
council.

"90a. The council shall indicate which of the assessors shall act as president of the assessors."

Section added
after id., s.
111.

8. The following section is added after section 111 of the said charter :

Description of
property in
notice of sale
of property
under id., s.
110.

"111a. In the notice mentioned in the preceding section, it shall be sufficient to describe the property by the cadastral number of the lot given in the book of reference, or the number of the subdivision of such lot, with the words: "or part," and to add the name and street number; but the description of the said immoveable or part thereof shall be set forth at length in the schedule which the treasurer is obliged to prepare and deliver to the sheriff by sections 107 and 110, and the said sheriff shall refer to such schedule in the notice which he is obliged to give as aforesaid."

Section added
after id., s.
117.

9. The following section is added after section 117 of the said charter :

Privilege of
special tax
and assess-
ment on part
of property,
&c.

"117a. The special tax or assessment imposed upon a portion only of a property shall be payable and exigible by privilege, taking the same rank as that given by section 117 upon the whole of the said property, and, in the case of non-payment, the city may have the immoveable sold."

Id., s. 121a,
amended.

10. Section 121a of the said charter, as enacted by the act 57 Victoria, chapter 56, section 11, is amended by adding thereto the following clause :

Receipt for
payment by
owner may be
required from
purchaser at
sheriff's sale
when property
redeemed.

"The said owner shall thereupon be entitled to demand and have from the said purchaser a receipt, establishing the fact of such repayment, executed by him before a notary, at the cost and charges of the said owner; and, on the due registration of an authentic copy of such receipt, the said owner shall be re-vested with all the rights of ownership in the said immoveable property which he had at the time of the sale by the sheriff, subject to all

Registration
of receipt and
effect thereof.

such privileged or hypothecary claims on the said immoveable property as existed at the time of the sale, less so much thereof as may have been paid through the distribution of the money levied under the sale by the sheriff; which said claims shall be and subsist on the said immoveable property to all intents and purposes whatsoever as fully and effectually as if the sale by the sheriff had never taken place."

11. Sections 123 and 124 of the said charter, as replaced by the act 55-56 Victoria, chapter 49, sections 4 and 5, are again replaced by the following : Id., ss. 123 and 124, replaced.

"**123.** Every year, before the close of the month of December, the council shall make an appropriation of the amounts necessary to meet the requirements of the ensuing year by providing :

1. For the payment of the interest on the debt due by the city and for such sums as may be required for the sinking fund ; Annual appropriations to be made by council for : Interest and sinking fund ;

2. For the general and ordinary expenses of the city ; General expenses ;

3. For a reserve fund of not less than five per cent of the total revenue for the preceding year, which shall be exclusively employed to meet unforeseen expenses. Reserve fund for unforeseen expenses ;

Every year, before the first day of April, the council shall make an appropriation of the amounts necessary for the contemplated special improvements of the year, for the paving, drainage and extension of water-works, etc. ; a statement whereof, with an estimate of the probable cost, shall be specified and furnished by the heads of the several departments interested. Appropriations for special expenditure for improvements.

"**124.** Such appropriations, so far as concerns paragraphs 1 and 2 of section 123, shall never exceed the amount of the actual revenue of the preceding year (that is to say, the appropriations of eighteen hundred and ninety-six, made in eighteen hundred and ninety-five, shall be based on the revenue of eighteen hundred and ninety-four, and so on yearly afterwards) ; Amount of such appropriations.

The appropriations for special improvements shall never exceed the unappropriated balance of the proceeds of any loan authorized by this act or by any of its amendments. Limit of appropriations.

The city may, however, raise by temporary bonds, the amount necessary for the anticipated revenue of the current year, provided such amount be repaid within the year in which it is borrowed, and the amount of the proprietors' shares of special improvements, until such time as the special assessments to be levied therefor shall have been collected." Temporary loans for certain purposes.

12. Section 140 of the said charter is amended by replacing subsection 29 by the following : Id., s. 140, amended.

Regulation of
sale of milk.

“29. To regulate the sale and quality and inspection of milk within the limits of the city, or beyond such limits when it is intended to be sold within the limits thereof, and to authorize its seizure and confiscation, with the same powers to the police or health officers as are conferred in the preceding subsection.”

Sec. added
after id., s.
216.

13. The following section is added after section 216 of the said charter :

Interest on
certain assess-
ments.

“**216a.** Legal interest shall be due by and exigible from the proprietors or parties interested, on any assessment for the improvement of streets or public places, and also on the cost of drains or sewers within the limits of the city, from the public notice of the completion of the assessment roll. This section shall not be retroactive ”

Id., 222, re-
vived and
amended.

14. Section 7 of the act 54 Victoria, chapter 78, is repealed and section 222 of the said charter is revived, as follows :

Annual ex-
propriations
for widening
streets accord-
ing to homol-
ogated plan.

“**222.** An expropriation shall take place every year, to be reckoned from the first of February, eighteen hundred and ninety-six, at such period as the council may fix, by by-law, from time to time, of the lots or parts of lot without buildings belonging to proprietors, who, after the homologation of the general plan of the city or of the plan of any of the wards thereof, respectively, have erected permanent buildings upon the new line laid down upon such general plan in any street or public square or place, opened or widened, or to be opened or widened, according to the said plan, and lying between the new and old lines of such street, public square or place ; provided that such proprietors produce, after such building shall have been erected, a certificate from the city surveyor to the effect that such buildings have been erected according to the new line ; provided also, that the whole cost of all such improvements shall be borne, one-half by the city and one-half by the proprietors of real estate situated on such streets respectively.

Proceedings
on such ex-
propriations.

The proceedings in expropriation, in the cases mentioned in this section, shall be that provided for by this charter for ordinary expropriations, except that the evidence shall not be taken by stenography, but one of the commissioners shall take notes thereof, which shall remain of record ; and, saving the taxation of witnesses, no other costs shall be allowed by the court, the judges or the commissioners.

Effect of this
section.

This section shall be construed as if it had been in force since the repeal of section 222 of the said charter by the act 54 Victoria, chapter 78, section 7, but shall not deprive the recourse for damages, losses and expenses already in-

curred by any proprietor who has already taken proceedings under the said act."

15. The following section is added after section 260 of the said charter :

Sec. added after id., s. 260.

"**260a.** It shall further be lawful for the city council to enact, by resolution or by by-law :

Further power to enact that :

1. That the water-rates shall be due and payable by instalments after the coming into force of the assessment rolls each year, and within such delays as it shall deem proper to fix ;

Payment of water-rates be made by instalments ;

2. That the legal rate of interest upon the arrears of water-rates shall only be due at the expiration of such delays respectively."

Interest on arrears become due after such delay.

16. The following section is added after section 283 of the said charter :

Sec. added after id., s. 283.

"**283a.** The city treasurer may, in all cases of seizure by garnishment, delegate an employee of his office with necessary instructions to make a declaration in court."

Employee may be delegated to declare on garnishee writs.

17. The following section is added after section 133 of the said charter :

Sec. added after id. 133.

"**133a.** The said council shall not be bound to make the improvements, the cost whereof, in whole or in part, has to be paid by the city, and which exceeds the limits of the power to borrow, without prejudice to recourse for damages, losses and expenses incurred by reason of the non-execution of the said improvement."

Improvements which exceed limits of power to borrow.

18. If the proceedings in expropriation for the opening or prolongation of Burnside street, have not been commenced by the first of October, eighteen hundred and ninety-six, the lines showing such extension or prolongation shall be removed and expunged from the homologated plan of Saint-Antoine Ward of the city of Montreal.

Expropriations for Burnside street.

19. Notwithstanding any provision to the contrary and especially section 126 of the act 52 Victoria, chapter 79, all expenses incurred and authorized by the city council up to this date, in excess of the appropriations, are ratified and confirmed, and no responsibility shall rest upon the aldermen who shall have voted for such additional expenditure, and the said expenditure shall be charged to the loan fund.

Validation of certain expenditure.

This section shall not affect pending cases as to costs.

Pending cases.

20. Section 140 of the act 52 Victoria, chapter 79, is amended by replacing subsection 17 by the following :

Id., s. 140 §17, replaced.

Mortuary returns, &c.

“ 17. To compel the superintendents of any cemetery in the city or in the adjoining municipalities to prepare and deliver to the corporation regular returns of the total number of persons buried in such cemetery ; to regulate the manner and form in which such returns shall be made ; to exact that, in all cases of death occurring in the city, a certificate be deposited in the health office, and that such certificate be made in the form and manner determined by the board of health and the council, and to adopt means to obtain accurate and sure returns respecting mortality and the cause thereof ; to authorize the medical health officer to make such inquiries as he may deem necessary when no certificate of death has been produced or when the certificate does not disclose the cause of death, so as to establish, as precisely as possible, the cause of death and other particulars which public health may require ; to prevent any corpse being taken out of the city without a special permit from the medical health officer, without prejudice to existing laws respecting coroner's inquests and the examination of any corpse.”

C A P. L.

An Act to amend the charter of the city of Montreal, with reference to the cost of certain expropriations.

[Assented to 21st December, 1895.]

Preamble.

WHEREAS the representatives of the estates P and F. X. Beaudry, and F. Lacombe, H. Dupré, N. Quintal and others, all rate-payers of the city of Montreal, have, by their petition, represented :

That, at the time of the annexation of Hochelaga ward to the city of Montreal, the latter promised, in order to induce the citizens of that ward to annex themselves to the city of Montreal, to extend St. Catherine street through the said ward ;

That the said improvement was made and cost a considerable amount ;

That the petitioners derive no benefit from such extension and are called upon to pay a large portion of the cost thereof ;

Whereas the petitioners have prayed to be freed from the obligation of paying the cost of such improvement, and it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

How payment of the expropriation for

1. The cost of the expropriation for prolonging and widening St. Catherine street, from Harbour street to