

C A P . X X V I .

An Act respecting Coroners' Inquests.

[Assented to 24th June, 1892.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 2687 of the Revised Statutes of the Province of Quebec is replaced by the following : R. S. Q., art. 2687, replaced.

“ **2687.** No inquest shall be held on the body of any deceased person unless the coroner shall, prior to the issuing of his warrant for summoning the jury, have made a declaration in writing under oath (which oath shall be administered by a justice of the peace, a notary public, or commissioner for taking affidavits to be used in the Superior Court, and shall be returned and filed with the inquisition), stating that, from information received by the coroner,—a summary of which information shall be stated in the declaration,—he has good reason for believing that the deceased did not come to his death from natural causes or from mere accident or mischance, but came to his death from violence or unfair means or culpable or negligent conduct of others, under circumstances requiring investigation by a coroner's inquest.” When coroner shall hold an inquest.

2. The following article is added after article 2692 of the said Revised Statutes : Art. added after R. S. Q., art. 2692.

“ **2692a.** No fees shall be claimable by a coroner in respect of an inquest unless, prior to the issuing of his warrant for summoning the jury, he shall have made the declaration in writing under oath required by article 2687, and returned and filed the same with the inquisition.” When coroner can claim fees for inquest held.

C A P . X X V I I .

An Act to amend the law respecting reformatory schools.

[Assented to 24th June, 1892.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following article is added after article 2896 of the Revised Statutes of the Province of Quebec : Art. added after R. S. Q., art. 2896.

“ **2896a.** The judge or magistrate presiding at the trial of a child, liable to be sentenced to the reformatory school, Notes of evidence to be taken.

shall either personally take notes of the evidence of each witness given before him, or shall require the clerk of the court to do so.

Notes with certificate and copy of complaint, &c., to be sent to Provincial Secretary.

What evidence should show.

These notes, signed by the judge or magistrate, shall, without delay, after the trial, be transmitted to the Provincial Secretary, with a baptismal certificate of the child, and a certified copy of the information or complaint, as well as of the condemnation or conviction.

This evidence should show the age of the child, its residence, the name of its father and that of its mother, their present place of residence, the child's place of birth, whether or not it had always resided with its parents, and if not, with whom had it resided and for what length of time, the habits and antecedents of the child, and, lastly, precise details of the nature of the offence and of the circumstances under which it was committed.

Provisional detention, to allow of completion of evidence.

When the witnesses produced are unable to establish all the facts mentioned in the present article, the judge may condemn the child to be detained provisionally in a reformatory for a term not to exceed eight days, so as to allow of the production of the witnesses necessary for the completion of the proof required by this article.

Conviction if complete; complaint dismissed otherwise.

Government not responsible for cost of maintenance unless directors are notified that they may keep child.

R. S. Q., art. 2897, amended.

If the proof is then complete and satisfactory, the judge or the magistrate pronounces the final sentence, if not, the complaint must be dismissed and the child liberated.

The Government is however not responsible for the cost of the custody and maintenance of the child, unless the Provincial Secretary, from the documents submitted to him, informs the directors of the reformatory that they may keep the child."

2. Article 2897 of the said Revised Statutes is amended, by adding the word: "final," after the word: "confinement," in the first line of the article.

Paragraph added to R. S. Q., title seventh, chapter first, section sixth.

3. The following paragraph is inserted in the said Revised Statutes, after the fourth paragraph of the sixth section of the first chapter of title seventh.

" § 5.—*Cost of maintenance of children in reformatory schools.*

Cost of custody and maintenance, by whom and in what proportion paid.

Proviso.

" 2910a. The custody and maintenance of children in reformatory schools are paid one fourth by the Government, and three fourths by the local municipality, or the incorporated city or town, in which the parents of the child resided at the time of his arrest; and, in the case of a child sent to a reformatory school under the provisions of article 3158, the three fourths above mentioned are paid by the local municipality, city or town, in which the child resided when sent to the industrial school.

2. In the first fifteen days of the month of January of each year, the proprietors or managers of every reformatory school shall transmit to the Provincial Secretary a list specially prepared for the purposes of this law, duly attested before a justice of the peace and containing :

(a.) The names of the children in the school ;

Contents thereof.

(b.) Their domiciles at the time of their confinement ;

When first list is to be sent and what to contain.

3. The first of these lists, so prepared and attested, shall be transmitted in the month of January next, but it shall contain only the names of children for whom the Provincial Secretary shall have ratified the order for confinement after the first of July, 1892.

Neither shall the subsequent annual lists or statements include the children respecting whom the order for confinement had been ratified before the first of July, 1892.

Subsequent lists, and what names to contain.

4. Immediately upon the receipt of this list, the Provincial Secretary shall prepare a detailed statement of the amounts due by each local municipality, incorporated city or town, under this law, and at once forward the same to the collector of provincial revenue for the district in which such city, town or local municipality is situated.

Statement of amounts due local municipalities to be prepared and sent to collector.

5. On receipt of this statement, the collector of revenue shall, without delay, transmit to the secretary-treasurer of the municipality or to the clerk of the corporation of the city or town concerned, as the case may be, a duly certified extract of this statement, containing a list of the children to whose maintenance the municipality, town or city should contribute, as well as the amount due for the year preceding, together with a notice calling upon him to pay into his hands, before the first day of May then next, the amount due for the purpose.

Duty of collector on receipt of list.

6. The amount is recoverable by an ordinary suit or action against each municipality, city or town so indebted under the preceding provisions.

Suit to recover amount.

This action is taken by the collector of revenue for the district, in his own name, against every such local municipality, city or town, before any court of competent jurisdiction.

By whom and before what court taken.

7. The amount paid by a municipality, city or town, in virtue of this law, shall be considered as a debt which may be levied under the Municipal Code or the charter of the city or town, and it may be collected in the same manner as ordinary taxes.

Amount paid by municipality to be considered as a debt leviable by municipal taxation.

8. In all suits or proceedings instituted for the recovery of amounts due for the maintenance of one or of more children in a reformatory school, the production of a copy or extract, certified by the Provincial Secretary or his assistant, of the documents required by article 2896a and of this article, shall be sufficient, without other proof, to obtain judgment for the amount demanded ; but this evidence

Documents that make proof in suits.

may be contradicted by legal proof tending to destroy the same, saving the right of the collector to adduce evidence in rebuttal.

Privilege of Government claim.
C. C. and C. P. amended.

9. All amounts due the Government, in virtue of this law, shall constitute a privileged debt which shall rank immediately after law costs; and the articles of the Civil Code and Code of Civil Procedure respecting privileges are amended accordingly.

Recourse by corporation against persons liable for maintenance.

10. A municipal corporation, city or town, which has so paid a sum of money to the Government, may obtain the repayment of the same by suit and execution, in the ordinary manner, either against the property of the child or against that of the persons who are bound by law to provide for his maintenance and support.

Cost of transport by whom paid, &c.

11. The costs of transport of a child to a reformatory school are, in all cases, paid by the municipality, city or town interested, saving their recourse, and may be recovered for the same reasons, in the same manner and on the same evidence as the amount due for costs of custody and maintenance."

R. S. C., c. 178, to apply to proceedings.

4. The provisions of chapter 178 of the Revised Statutes of Canada apply to all proceedings had before justices of the peace under this law, saving, in so far as they are contrary thereto or incompatible therewith.

Coming into force.

5. This act shall come into force on the first of July, 1892.

C A P. XXVIII.

An Act to further amend the law respecting public health.

[Assented to 24th June, 1892.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

R. S. Q., art. 3055, and 54, V., c. 27, s. 1, amended.

1. Article 3055 of the Revised Statutes of the Province of Quebec, as replaced by the act 54 Victoria, chapter 27, section 1, is amended by replacing the word: "seven," in the first line, by the word: "five."

Second clause of art. 3057, R. S. Q., and 54 V., c. 27, s. 1, amended.

2. The second clause of article 3057 of the said Revised Statutes, as replaced by the act 54 Victoria, chapter 27, section 1, is amended by replacing the word: "four," in the first line, by the word: "three."
