

CAP. XL.

An Act for the protection of persons employed by contractors engaged in the construction of railways under acts passed by the Legislature of Quebec.

[Assented to 2nd April, 1890.]

WHEREAS grievous frauds and evasions of contracts Preamble.
with laborers and workmen by contractors and sub-contractors, engaged in the construction of railways, are not infrequent, and it is expedient to provide better safeguards for the protection of laborers employed as aforesaid; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following section is added to chapter second of title sixth of the Revised Statutes of the Province of Quebec : Section added to R. S. Q., title 6, chapter 2.

" SECTION V.

" PROTECTION OF EMPLOYEES IN THE CONSTRUCTION OF RAILWAYS UNDER CONTROL OF THE PROVINCE.

" **3053a.** Any railway company, incorporated under the authority of any act of the Legislature of Quebec, may stipulate and provide, in any contract between the company and any person or persons contracting with the company for the construction of the whole, or any part, or section of the railway of the company, or for the reconstruction or repair thereof, in whole or in part, that the laborers and workmen, employed in such construction or reconstruction or repair shall be paid daily, weekly, or monthly, according to the terms of hire or agreement made with them. Certain stipulation as to payment of workmen may be made by railway companies in contracts for construction or repair of road.

" **3053b.** Any such railway company, contracting with any person or persons, as aforesaid, for the construction or reconstruction, or repair of their railway or any part thereof, may, in default of any stipulation or provision for the payment of laborers or workmen in such contract, withhold payment to their contractors, until all moneys then due and owing to laborers and workmen have been paid. If no stipulation made, company may retain moneys until workmen are paid.

The sums so withheld, however, shall not be higher than the sums due and owing to the laborers and workmen and of which notice shall have been given to the company. Proviso, as to amount to be retained.

" **3053c.** Every such railway company, contracting as aforesaid, shall ascertain, from time to time, by agent or otherwise, that all arrears due to laborers and workmen Railway company to ascertain that workmen have been

paid before finally settling with contractors.

have been paid by their contractors, before making final payment to or settlement with them.

If railway company pays contractors after notice that workmen are unpaid, it is bound to pay such workmen.

“**3053d.** If any such railway company, whose contractors or sub-contractors are in arrears with their laborers or workmen, do or shall, after notice thereof, by letter addressed to the secretary or president, at the principal office of the company, pay over moneys then due or payable to their contractors without providing for the payment of the arrears, the railway company shall thereupon become and be liable to pay the same as a debt due from the company to the said laborers and workmen.

If amount claimed by workmen as due is contested by contractor, money to be held by company until court decides, and then to pay according to judgment

“**3053e.** If the amount claimed to be due by the laborers and workmen from the contractors or sub-contractors is disputed or denied by them and notice thereof given to the company, it shall withhold payment until the question or issue is decided by a competent court; and the company shall thereupon pay over to the laborers and workmen the amount declared to be payable to them by the judgment

C A P. X L I.

An Act to amend the law respecting the insane.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS the collection of amounts levied upon municipalities for the maintenance of the insane in asylums presents difficulties which render it almost impossible, and it is expedient to establish a more just and rational system, which, without disturbing existing contracts, will effect a desirable economy;

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

R. S. Q., art. 3195 amended.

1. Article 3195 of the Revised Statutes of the Province of Quebec is amended by striking out in the last line of the first clause thereof the words “and of municipalities.”

Id., art. 3218 amended.

2. Article 3218 of the said Revised Statutes is amended by striking out in the tenth and eleventh lines thereof the words “or of the municipalities bound to support him.”

Id., art. 3222 to 3228 repealed.

3. Articles 3222, 3223, 3224, 3225, 3226, 3227 and 3228 of the said Revised Statutes are repealed.