

**14.** The fire marshal shall be entitled to receive for every original subpoena twenty cents, and for each copy five cents, and for every warrant, warrant of arrest, or warrant of commitment fifty cents, and for his services pending each enquiry, ten dollars for the first day, and five dollars per day for each subsequent day, and in the event of its being advisable to protract the enquiry, from the absence of witnesses or any other cause, beyond the seventh day of the enquiry, the total remuneration to be paid to him shall not exceed forty dollars.

His remuneration.

**15.** The cost of each enquiry shall be paid by the insurance company or companies, having insured the property or any one of the buildings, destroyed or injured by the fire, and in no case shall the corporation of the city be liable to pay the expense of any enquiry if the building be not insured, provided the contents of the same are, and if neither are insured, then the city treasurer shall be bound to pay the fire marshal the sum of ten dollars and no more, for the enquiry, in addition to the costs of the summonses and warrants issued, and the city treasurer shall be bound to pay the same on production of the certificate of the chief engineer of the fire department that such enquiry has been held within five days of the occurrence of such fire; and in like manner, the insurance company or companies shall be bound to pay *pro rata* according to the amount of each policy, the expense of said enquiries, on a like certificate and upon refusal to pay within three days of the delivery of such certificate, the amount may be recovered before the judge of sessions, recorder or a justice of the peace, summarily upon complaint of the fire marshal with costs.

Costs of investigations to be paid by insurance companies or by corporations, according to circumstances.

Costs how paid.

**16.** The provisions of chapter eighty-eight of the consolidated statutes of Canada, in so far as they relate to the cities of Montreal and Quebec and such portion of any acts of parliament as confers upon the councils of the said cities power to enact by-laws authorizing such enquiries, are hereby repealed.

C. S. C. c. 88, &c., repealed.

### C A P. X X X I I I .

An act further to amend the act to Amend and Consolidate the provisions contained in the acts and ordinances relating to the Incorporation of and supply of Water to the City of Quebec, and also to amend the act amending the last mentioned act passed in the 29th and 30th years of the reign of her present majesty, chapter 57.

[Assented to, 24th February, 1868.]

**W**HEREAS the corporation of the city of Quebec have, by their petition, prayed that further amendments may be made to the act passed in the twenty-ninth year of her majesty's reign, intituled: An act to amend and consolidate

the provisions contained in the acts and ordinances relating to the incorporation of and supply of water to the city of Quebec; and also, for amendments to the act passed in the twenty-ninth and thirtieth years of her majesty's reign, amending the last mentioned act; 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:—

Subsection 2 of sec. 8 of 29 V. c. 57 amended.

**1.** Subsection two of the eighth section of the twenty-ninth Victoria, chapter fifty-seven, is amended by adding the following words at the end thereof: "And the city clerk shall preside at the said council until the acting mayor is elected."

Subsection 5 of sec. 16 of 29 V. c. 57, and sec. 3 of 29-30 V. c. 57 amended.

**2.** Subsection five of section sixteen of the twenty-ninth Victoria, chapter fifty-seven, as re-enacted by the third section of the twenty-ninth and thirtieth Victoria, chapter fifty-seven, is amended by adding after the words "members present," the words "not including the mayor, acting mayor or chairman presiding at the council."

Subsection 6 of sec. 16 of 29 V. c. 57 repealed.

**3.** The sixth subsection of the same section of the said act, twenty-ninth Victoria, chapter fifty-seven, is repealed, and the following substituted thereto: "There shall be two-thirds of the whole council present at the meeting for the passing of a by-law."

Subsection 11 of same section amended.

**4.** Subsection eleven of the same section of the said act, twenty-ninth Victoria, chapter fifty-seven, is amended by adding the following words at the end thereof: "And the city clerk shall preside until such choice is made."

Subsections 2, 4, 8 of sec. 21 of 29 V. c. 57 revived.

**5.** The subsections two, four and eight of the twenty-first section of the act twenty-ninth Victoria, chapter fifty-seven, are revived and restored to full force and effect.

Part of sec. 10 of 29, 30 V. c. 57 repealed.

**2.** The subsections one, two, and all that part of the tenth section of the act twenty-ninth and thirtieth Victoria, chapter fifty-seven relating to the imposing specific rates, as also the fourth subsection of the said tenth section of the said last mentioned act are hereby repealed.

Subsection 3 of sec. 10 of 29, 30 V. c. 57 amended.

**6.** The third subsection of the tenth section of the act twenty-ninth and thirtieth Victoria, chapter fifty-seven is amended by adding the following words at the end thereof: "The said drainage tax shall hereafter be imposed by being entered in a separate column in the assessment books by the assessors, in the like manner and at the same time as the other assessments on real property, and be levied by the same process and in the same way, and without any formality whatsoever."

Subsection 4 of sec. 21 of 29 V. c. 57 amended.

**7.** Subsection four of the twenty-first section of the said act, twenty-ninth Victoria, chapter fifty-seven, shall be amended by adding, after the words "on all wholesale or retail dealers," in the fourteenth line of the said subsection, the words "and wholesale and retail dealers."

Definition of "wholesale," "retail;"

**8.** For the ends of the said act, twenty-ninth Victoria, chapter fifty-seven, and of the acts amending it, all persons shall be reputed wholesale dealers who habitually sell to other

dealers; wholesale and retail dealers, persons who habitually sell to dealers and non-dealers; retail dealers, those who habitually sell to non-dealers.

“Wholesale and retail.”

**9.** The following subsection shall be added after the fifth sub-section of the twenty-seventh section of the act twenty-ninth Victoria, chapter fifty-seven :—

Addition to sub-section 5 of sec. 27 of 29 V. c. 57.

6. Upon any inquiry or investigation being entered into before the said council or any committee thereof, it shall be lawful for the mayor or other person representing him, to issue his summons requiring any person to appear before the said council or any committee thereof as aforesaid, for the purpose of giving evidence touching the said enquiry or investigation; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved, before such council or committee, or if any person appearing in obedience to such summons shall refuse to be examined on oath, touching the said enquiry or investigation, it shall be lawful for the said mayor to enforce the attendance of all such persons and to compel such persons to answer all lawful questions by the like means as are used for such purposes in the ordinary courts of civil jurisdiction in the province of Quebec.

Evidence before council or committees, how obtained.

**10.** The sub-section forty, of section twenty-nine, of the said act is hereby repealed, and the following substituted therefor: “To compel all butchers, bakers, hucksters, pedlers, carters and porters residing in, and carrying on their trade or business in the said city, and all canoe-men, bateaumen and boat-men, plying for hire, to and from the said city, to take out licenses and numbers, which said licenses and numbers the said corporation is empowered to issue and to charge reasonable fees therefor, and to establish a tariff of fees to be taken by all boat-men and canoe-men plying for hire to and from the said city.”

New subsection in lieu of sub-section 40 of sec. 29 of said act.

**11.** The thirtieth section of the said act twenty-ninth Victoria chapter fifty-seven is hereby amended by substituting in the first line thereof, the word “twice” for the word “thrice,” and adding at the close of the first paragraph, the following words: “Provided that said by-law may be altered or amended at such second meeting, if said council see fit.”

Sec. 30 of 29 V. c. 57 amended.

**12.** The thirty-fourth section of the said act is amended by substituting the words “five years” for the words “three years” mentioned in the first line of the said section.

Section 34 of same act amended.

**13.** The following words shall be added to the twenty-first sub-section of the said section after the letter F:

Addition to sub-section 21 of said section.

G. On each water-closet an amount not exceeding five dollars per annum.

**14.** The said council may issue debentures to the amount of twenty thousand dollars for the purpose of raising a like sum to be applied to the widening of St. Ours street; and, the said

\$55,000 to widen two streets.

council may also issue debentures to the amount of thirty-five thousand dollars, for the purpose of raising a like sum to be applied to widening of Champlain street.

This act not to affect liabilities incurred under previous acts.

**15.** This act shall not be held to have relieved the said corporation of Quebec, or any person or persons now, or heretofore members of the council thereof, from any liability which they may have incurred for any violation of the laws incorporating the said city, or amendments to the same, or any omission to comply with the requirements of the said laws, but all remedies which may have existed at the time of the passing of this act respecting such violations and omissions shall remain in force as if this act had not been passed.

Prescription extended to 5 years.

**16.** The prescription of two years in relation to all assessments, taxes and water rates, as established by the acts hereby amended, is extended to five years.

Drainage tax declared legal.

Art. 2 of by-law of 27 April, '66, explained.

**17.** And whereas doubts have arisen respecting the legality of the drainage tax, imposed by the treasurer of the said city, in conformity with the act twenty-ninth and thirtieth Victoria chapter fifty-seven, as also respecting the meaning of article two of the by-law of the said council, dated the twenty-seventh April eighteen hundred and sixty-six, it is hereby declared and enacted that the said drainage tax has been legally imposed; and that article two of the by-law above cited meant and means that the said council desire to impose and did impose the tax of seven dollars and fifty cents mentioned in the said article over and above the other taxes imposed by the said by-law on every hundred dollars; provided that nothing herein contained shall effect the decision of any suit now pending or decided.

Proviso: as to suits pending.

Sec. 20 of 29 V. c. 57 and secs. 7, 8, 9 of 29-30 V. c. 57, repealed.

**18.** Section twenty, of twenty-ninth Victoria, chapter fifty-seven, and sections seven, eight and nine, of twenty-ninth and thirtieth Victoria, chapter fifty-seven, are repealed, and the following section substituted therefor:

Assessment books to be open to interested parties.

So soon as the assessors, at the time fixed by the assessment board, have deposited the assessment roll of any ward whatever, in the office of the city treasurer, he shall advertise such deposit, in one French and one English newspaper of the city, and shall post up a notice of the same, in the French and English languages, at the doors of all the churches in this city, during three consecutive weeks. During the month which shall run from the day of the date of the first notice of such deposit, any one, who shall deem himself aggrieved by any entry made in the said assessment roll, shall make complaint before the assessment board in writing, and under oath, taken either before a justice of the peace or before a member of the city council, or before a member of the assessment board. This complaint shall be lodged, within the said time, in the office of the city clerk, and the said clerk shall give notice in the newspapers, as hereinbefore set forth, of the places, days, and hours in which the assessment board will

Parties aggrieved to complain within a given delay.

How complaints shall be heard and determined.

hear the complainants and decide on the merits of their complaints ; and the judgment of the said board shall be final and conclusive.

2. The delay hereinabove established is absolute, so that every one who shall neglect to lodge his complaint within the time specified, before the assessment board, shall be precluded from so doing subsequently, and be compelled to pay the amount for which he may be assessed, in the assessment roll, for assessments, taxes, rates, imposts, duties, or any other municipal charges whatever. The delay is absolute.

3. In all cases where, after an assessment roll is completed, it shall become necessary to correct errors, or supply omissions which may be found therein, or whenever persons who were not subject to assessment, taxes, rates, imposts, duties, or other municipal charges whatever at the time of the completion of the said assessment roll, and who shall thereafter and during the whole time of the fiscal year, become subject to the payment of such taxes, rates, imposts, duties, or other municipal charges, the assessment board shall, on application to be laid before it by an assessor, and after having heard the parties interested, who shall receive a notice of fifteen days to this effect from the assessor, correct such errors, or supply such omissions, and its decision shall be final and conclusive, and the parties interested shall be bound to pay all sums, taxes, rates, imposts, duties, or other municipal charges whatsoever, on them imposed, under, and in virtue of the said corrections, and the insertion of the said omissions. How assessment books may be corrected or changed.

19. Section fifty-two of the act twenty-ninth and thirtieth Victoria, chapter fifty-seven, is hereby repealed, and no appeal or writ of certiorari shall lie or be taken from any decision given in the said recorder's court, in any civil case before the said court, to any other court in this province, any law to the contrary notwithstanding. Section 52 of 29-30 V. c. 57 repealed. No certiorari allowed.

20. No house or building whatever shall hereafter be built or constructed of wood within the limits of the following wards of the city of Quebec, viz : Montcalm, St. John, Jacques-Cartier and St. Roch's, except in the following manner :— Wooden houses in certain wards.

Every such house or building, to be built or erected hereafter, shall be covered on all the sides from the ground to the roof with brick—at least one brick in thickness—and the roof thereof covered with some fire-proof material. Provided that houses or buildings already erected of wood in the said city contrary to law in that behalf, may within twelve months from the passing of this act be covered with brick and fire-proof material, as aforesaid, if application be made for this privilege to the city council within three months from the passing of this act. How such houses shall be built. As to houses already built.

Every such house or building, to be erected hereafter, shall be built upon a stone foundation, or upon a wooden frame resting on piles or wooden posts. Foundations of such houses.

This act to form one with the two previous acts.

21. The foregoing provisions shall be considered as forming one and the same act with the act twenty-ninth Victoria, chapter fifty-seven, as well as with the act twenty-ninth and thirtieth Victoria, chapter fifty-seven, amending the said act, and any provisions of the said acts inconsistent with the present act are hereby repealed.

#### C A P. X X X I V .

An act to amend the act 12 Victoria, Cap. 282, and to provide for a further increase of the capital stock of the Quebec Gas Company.

[Assented to, 24th February, 1868.]

Preamble.

WHEREAS, by the act passed in the parliament of the late province of Canada, in the twelfth year of her majesty's reign, intituled "An act to incorporate the Quebec gas company," the capital stock of the said company is limited to forty thousand pounds; and whereas, by an act passed by the said parliament in the eighteenth year of her majesty's reign, chapter sixteen, permission was given to the said company, to increase their said capital stock, to the sum of sixty thousand pounds. And whereas, the said company have, by their petition, represented that the said amount of increased capital has been subscribed and paid up, and is found insufficient for the purposes of the said acts, and have prayed for an increase of the said capital stock to eighty thousand pounds; and whereas, it is expedient to grant the prayer of the said petition: Therefore, Her Majesty by and with the advice and consent of the Legislature of Quebec, enacts, as follows:

Capital may be increased by £20,000.

1. That it shall be lawful for the said company to add to their present capital stock a sum not exceeding twenty thousand pounds, divided into shares of fifty pounds each, and to raise such sums either by subscription among the present shareholders, or by the admission of new shareholders, or partly in one way and partly in the other. Provided always that no such increase shall take place unless the same be agreed to by the shareholders at a special meeting called for that purpose.

Increase subject to same law as former capital.

2. The said increased capital stock shall be held subject to the same laws and regulations as govern the original capital stock of the said company.

#### C A P. X X X V .

An act to incorporate the "Quebec Curling Club."

[Assented to, 24th February, 1868.]

Preamble.

WHEREAS the persons hereinafter named, are associated for the purpose of promoting and practising the Scottish national game of Curling, by the name of "The Quebec