

*Municipal Amendment Act, 1890*, is further amended by adding thereto the following sub-section :—

(16) In addition to the powers given and contained in sub-section 14 of this section any city or town operating or proposing or intending to build or operate a street railway within its own limits may also pass by-laws for building, equipping, maintaining and operating any extension of any such street railway in any adjoining municipality with the consent of such adjoining municipality by by-law, and subject to and upon such terms as the Lieutenant-Governor in Council may approve, upon the same terms and subject to the same conditions and provisions of law as any street railway company may build, maintain or operate any street railway under *The Street Railway Act* or any amendments thereof; and such city or town building, constructing, owning or managing a street railway extending beyond its territorial limits and authorized as aforesaid and with the consent aforesaid shall not be held to be illegally expending money, merely because it is expended upon or in connection with such portion of said street railway as may extend beyond its territorial limits.

24. Sub-section 4 of section 531 of *The Municipal Act* is amended by adding the words "or near to" after the word "in" in the third line thereof; and the said section 531 is further amended by striking out the words "provided nevertheless" in said sub-section 4 thereof, and all words subsequent thereto, and by adding the following sub-sections :—

(5) The municipal corporation shall be entitled to such remedy over in the same action, if the other corporation or person shall be made a party to the action, and if it shall be established in the action as against the other corporation or person, that the damages were sustained by reason of an obstruction, excavation or opening as aforesaid; placed, made, left or maintained by the other corporation or person, and the municipal corporation may in such action have the other corporation or person added as a party defendant or third party for the purposes hereof, if the same is not already a defendant in the action jointly with the municipal corporation, and the other corporation or person may defend such action as well against the plaintiff's claim as against the claim of the municipal corporation to a remedy over, and the court or judge upon the trial of the action may order costs to be paid by or to any of the parties thereto, or in respect of any claim set up therein as in other cases.

(6) If such other corporation or person be not a party defendant to such action, or be not added as a party defendant or third party, or if the municipal corporation shall pay the claim for such damages before any action is brought to recover the same, or before any recovery of damages or costs against the municipal corporation such municipal corporation shall have a remedy over, by action against any other corporation or person for such damages and costs as have been sustained by reason of any obstruction, excavation or opening placed, made, left or maintained by the other corporation or person, provided always that such other corporation or person shall be deemed to admit the validity of the judgment, if any, obtained against such municipal corporation in cases only where a notice has been served on such other corporation or person pursuant to the provisions of rule 329 of the consolidated rules made under the authority of *The Judicature Act*, or where such other corporation or person has admitted, or is estopped from denying the validity of such judgment, and where no such notice has been served, and there has been no such admission or estoppel, and the other corporation or person has not been made a party defendant or third party to the action against such municipal corporation, or where such damages have been paid without action, or without recovery of judgment against the municipal corporation, the liability of the municipal corporation for such damages, and the fact that the damages were sustained

by reason of an obstruction, excavation or opening placed, made, left or maintained by the other corporation or person, shall be established in the action against such other corporation or person, shall be established in the action against such other corporation or person in order to entitle the municipal corporation to recover in such action.

25. Section 550 of *The Municipal Act* is hereby amended by adding thereto as sub-section (7a) the following :—

(7a) For purchasing and holding by itself or jointly with any other municipality such land containing stone or gravel beds within its own or any adjoining municipality as may be necessary to procure stone or gravel therefrom for the purpose of constructing, maintaining or repairing any streets, roads or highways owned by such municipality and sell and convey the same wherever the object for which the same was purchased shall no longer exist.

26. Sub-section 4 of section 616 of the said Act, as amended and consolidated by section 38 of *The Municipal Amendment Act, 1890*, is amended by striking out the words and figures "section 623 of this Act" in the 12th line of the said sub-section and inserting in lieu thereof the words and figures "sub-section 4 of section 618 of this Act."

27. Sub-section 3 of section 620 of *The Municipal Act*, as amended and consolidated by section 38 of *The Municipal Act, 1890*, is repealed and the following substituted amendment therefor :—

(3) In case the council of such municipality is about to construct, renew or alter the character of a pavement on any street, highway or public place, or portion thereof, as a local improvement, the council may, before putting down such pavement, put in all necessary private drain connections, from any existing drain or sewer upon such street or portion thereof to the street line on each side of the drain or sewer, and also all necessary water mains, and may assess and levy the cost thereof, and of any alterations of service pipes and stop-cocks, necessitated thereby against the particular properties benefited thereby as part of the cost of the said local improvement pursuant to the provisions of section 612 of this Act.

28. Sub-section 7 of section 620 of *The Municipal Act*, as amended and consolidated by section 38 of *The Municipal Amendment Act, 1890*, is amended by striking out the word "answerable" where it occurs in the second and eighth lines of said section and inserting in lieu thereof the word "assessable."

29. Section 629 of *The Municipal Act* is amended by inserting in sub-section 2 after the words "frontage thereof" the words "or according to the assessed value thereof" when only such latter system of assessment shall have been adopted by a three-fourths vote of the full council.

30. Sub-section 2 of section 630 of the said Act is amended by adding after the word "works" in the seventh line of said sub-section, the words : "fire engine and appliances."

31. Section 630 of the said Act is further amended by adding thereto the following sub-sections :—

(4) The council of a Township may also by the same or any subsequent by-law, direct in any case where a fire engine and appliances for the purpose of fire protection have been or are about to be purchased, that at the then next ensuing, and at each subsequent municipal election for the municipality, three trustees, with the powers and for the purposes hereinafter mentioned, be elected for the same periods of time and in the same manner as municipal councillors are elected, provided, however, that no person shall have a vote at said election of said trustees unless he or she be the owner of real property defined by a by-law of the said municipality as real estate to be benefited and charged with the cost of the purchase of such fire engine and appliances, and has the same qualifications as required by this Act to equal owners of real estate to vote at municipal elections.