

to municipal by-laws so as to bring them under the operation of article 304 of the charter of this city which confer on any tax-payer, in virtue of that quality alone, the right to contest by-law for illegality.

20. The general interest of a citizen and tax-payer in the good administration of the City of Montreal is not sufficient to attack by a direct action the legality of a report from the Board of Commissioners to the City Council, he must be financially interested; his interest must be founded on the infraction of some right present or eventual which prejudices him, unless such right were conferred upon him in virtue of same special legislative enactment.

Code of Civil procedure, art. 77.

Charter of Montreal (1899), 62 Vict., ch. 58, art 304.

This action is a contestation of a report of the Board of Commissioner for the city of Montreal to the council recommending this purchase of some land required for the widening of St. Anne and College streets of the Bordeaux Ward.

*Lane, J.*:—The plaintiff, a carter and an elector, a rate-payer and a proprietor of immovable property of Bordeaux Ward, in the City of Montreal, sues the defendant, putting Gordien Menard and others en cause, under the following circumstances:

In 1910, by an act of the Legislature of the province of Quebec, which was assented to on the 4th of June of that year, the city of Montreal, among other neighboring municipalities, annexed the town of Bordeaux, and by this Act, which is 1 George V, Chapter 48, provision is made for the widening by the defendant of two streets of the former town of Bordeaux, so annexed by the said Act or Statute, namely, St. Anne and College streets, the particulars of which provision are found in the article I, paragraph (j) of the Act and reads as follows: "St. Anne