

of the City Departments, such expenses shall be paid from the General Fund.

Estimate of Council of the amount for each department to be submitted to the Mayor, etc.

It shall be the duty of the City Council at their next meeting after having been notified of the amount of the sum total of the taxable property in the City of Miami, to ascertain the amount of money needed for each department, which said estimate shall be submitted to the Mayor of the City and he shall have the right to increase or diminish the appropriation for any Department. The Mayor shall then return said estimate to the City Council, and the City Council shall not have the right to change any item in the estimate of the Mayor, except by a two-thirds vote of the Council. The Council shall then make a levy, in accordance with said estimate, and no part of the money raised by taxation shall be diverted from the object for which it was raised, except by the consent of the Mayor and a majority of the City Council.

SECTION 47.

Id.
Assessments,
validation, etc.

Nothing in this Act contained shall invalidate or make void any proceeding had or taken for the assessment for the year 1913, but the said assessment for the year 1913 shall be completed as far as practicable in accordance with the provisions of this Charter; and the City Council shall have power, by ordinance, from time to time, to provide for the correction and validation of erroneous assessments or of defective assessments, but it shall not have the power to raise or lower any assessment of property, real or personal, nor consider any petition therefore, except in the case of error, and no assessment heretofore made or hereafter to be made shall be deemed invalid by reason of any mistake, omission, defect or irregularity of failure to comply strictly with the terms of this Act, or by reason of any failure to describe the owner; and the assessment and levies of taxes as made and entered upon the several assessment rolls of the said City of Miami for the years 1909, 1910, 1911 and 1912, severally, are hereby legalized and confirmed; Provided, always, That the assessment roll describes the property assessed with sufficient certainty to render it capable of identification and indicates the assessed value thereof and the taxes due thereon.

Proviso.

SECTION 48.

Approved by
Governor May
31, 1913.

Suits for damages
against city, etc.

No suit shall be maintained against the City for damages arising out of a failure to keep in proper condition any sidewalk, pavement, viaduct, bridge, street or other public place, unless it shall be made to appear that the

damage alleged is attributed to the negligence of the City, and that written notice of such damage was, within thirty (30) days after the receiving of the injury alleged given to the City Attorney with reasonable specifications as to time and place and witnesses as would enable the city officials to investigate the matter; and no verdict shall in any suit be given for an amount exceeding compensative damages to the plaintiff directly attributal to such negligence on the part of the City, and contributory negligence on the part of the plaintiff shall defeat all recovery against the City. It shall be the duty of the City Attorney, upon receiving any such notice, to at once investigate the matter and lay the facts, supported by the evidence, before the City Council in a written report, and the City Council shall have the right, and upon the written request of the person injured, it shall be the duty of the City Council to investigate the matter, and it may, by resolution, make such reasonable settlement of damages as may be agreed upon between the City Council and the person so damaged.

SECTION 49.

Nothing in this Act shall invalidate or make void any act done by the City Council, or any of the officers of said City, or any contract entered into by them or any of them, or any suit pending begun prior to the passage of this Act, but the same shall remain in full force and effect, and all laws and parts of laws inconsistent with the provisions of this Act, be, and the same are, hereby repealed; but the repeal shall not have the effect to nullify or make void any contracts heretofore entered into by the City Council of the City of Miami, and all ordinances of the City of Miami now in existence and not inconsistent with the provisions of this Act shall remain in full force and effect until altered, modified, or repealed, according to the provisions hereof.

Id.
Construction of
act.

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Repeal of incon-
sistent laws.

SECTION 50.

The City of Miami shall have the power from time to time to pass all such ordinances not inconsistent with this Act as may be necessary to carry out and enforce the provisions of this Act.

Id.
Power of Council
to enforce act.

SECTION 51.

That the City of Miami be, and it is hereby fully authorized and empowered, as fully and completely as a natural or artificial person might or could be, to establish, construct, build, maintain and operate a municipal plant

Id.
Power to establish
water, ice, light
plants, etc.