



CHAPTER 66

An Act respecting the Catholic School Commission of Three Rivers

[Assented to, the 11th of March, 1931]

WHEREAS the city of Three Rivers is governed by the Preamble.
Education Act (Revised Statutes, 1925, chapter 133);

Whereas the school commissioners for the city of Three Rivers have, by their petition, represented that the Education Act (Revised Statutes, 1925, chapter 133) by which such corporation is governed, does not meet all requirements of a city of the importance of the city of Three Rivers, and that it is necessary, insofar as it is concerned, to amend that act as hereinafter mentioned;

And whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. This act may be cited as "*Three Rivers Catholic School Commission Act*". Short title.

2. Section 118 of the Education Act (Revised Statutes, R. S., c. 133, 1925, chapter 133) is replaced, for the Three Rivers Catholic School Commission, by the following: s. 118, replaced for Commission.

"118. The Roman Catholic School Commissioners for the city of Three Rivers shall form a corporation under the name of "Three Rivers Catholic School Commission." Incorporation. Name.

They shall have perpetual succession, may sue and be sued, and shall generally have the same powers which any other corporation has with regard to the purposes for which they were constituted. Powers.

- Succession.** The corporation hereby constituted shall succeed to the rights, obligations, privileges, property, claims and actions of the school commissioners for the municipality of the city of Three Rivers, in the county of Three Rivers.
- Duration in office.** The commissioners, officers and employees of the corporation in office on the 11th of March, 1931, shall remain in office until they resign or are replaced according to law.
- Acts, etc., continued.** All assessment rolls, resolutions, dues, lists, plans and other acts and documents whatsoever, made and entered into by the former corporation shall continue in effect until they have been amended, annulled, repealed or executed.
- Bonds, etc., continued.** All promissory notes, bonds, obligations, undertakings, titles or contracts whatsoever subscribed, accepted, endorsed or entered into by the former corporation up to the 11th of March, 1931, shall continue to have their legal effect.
- Provisions applicable.** The corporation shall be governed by the said Education Act and its amendments, at the date of the coming into force of the act 21 George V, chapter 66."
- R. S., c. 133, s. 151a, replaced for Commission.** **3.** Section 151a of the said act, as enacted by the act 18 George V, chapter 44, section 2, is replaced, for the Commission, by the following:
Mode of voting. "151a. The voting at all elections of Catholic school commissioners of the city of Three Rivers shall be by ballot and shall be held in accordance with the provisions of this subdivision 5 of Division IV of this chapter."
- R. S., c. 133, s. 154, replaced for Commission.** **4.** Section 154 of the said act is replaced, for the Commission, by the following:
Polling-stations. "154. At an election a single polling-station shall be established at a central point in the municipality, or at a point determined by resolution of the school commissioners or trustees in a neighboring city, town or village municipality, if such neighbouring municipality form part of the same parish or township. However, when there are more than six hundred electors on the valuation roll, other polling-stations must be established so as to make an equal division of the electors."
- R. S., c. 133, s. 179, replaced for Commission.** **5.** Section 179 of the said act is replaced, for the Commission, by the following:
Term of office of commissioners. "179. Except in the cases specified in sections 181 and 204, school commissioners shall remain in office for four years."

The school commissioners actually in office shall remain in office as follows: those elected in 1928 and in 1929, until the election of the month of July, 1932; and those elected in 1930, until the election of the month of July, 1934. No election of school commissioners for the city shall be held in July, 1931, nor in July, 1933.

6. Section 221 of the said act is amended, for the Commission, by replacing paragraph 8 thereof, by the following:

“8. To appoint two or more from among themselves, or any other competent persons chosen outside of the Commission, whose remuneration it shall fix, to visit each school under their control at least once every six months, and to report to the corporation of which they are members the state of the school, the manner in which the regulations are observed, the progress of the pupils, the character and capacity of the teachers, and every other matter relating to the management of the schools.”

7. The said act is amended, for the Commission, by adding, after section 223, the following sections:

“**223a.** The School Commission may also appoint all other officers or employees whom it may deem necessary for the administration and whose term of engagement and remuneration shall be fixed by resolution of the commissioners.

“**223b.** The Commission may further appoint, by resolution, a special committee called “Pedagogical Commission” to aid it with its advice and counsel, in any thing, matter or act having particular reference to education.

“**223c.** The Commission may name as members of such Pedagogical Commission the following persons or any of them: One of the parish priests of the city, designated by the Ordinary of the diocese to represent the *curés* of the city parishes; the principal of the Normal School of Three Rivers or the Professor of Pedagogy in such school; the superior of St. Joseph’s Seminary of Three Rivers, or a representative appointed by him; a director of the Brothers’ schools of the city; the rector or priest serving the English Catholic minority.

“**223d.** The School Commission may grant to the members of the Pedagogical Commission the remuneration it may deem fit; it shall pay the salary of its secretary appointed by it on the recommendation of the Pedagogical Commission, and the School Commission shall supply the latter with a meeting room, and all necessary accessories for the keeping of records.

Adoption of
by-laws.

“**223e.** The Pedagogical Commission may make by-laws for itself respecting its internal government, the date, quorum and conduct of its meetings, and all things relating to its attributions, subject to the approval of the School Commission.

Entry of
proceedings.

“**223f.** All the proceedings of the Pedagogical Commission shall be entered in a book by the secretary of such commission; the advice or suggestions made by the pedagogical commissioners to the School Commission shall be made in the form of a motion.

Duties of
Pedagogical
Commis-
sion.

“**223g.** The Pedagogical Commission shall:

“*a.* Exercise active supervision over the methods of teaching in the schools under the control of the School Commission; take all necessary steps authorized by the school commissioners, so that the course of study adopted by the Roman Catholic Committee of the Council of Education be followed in each school under its control; and, in the event of a violation of the regulations of the Council of Education, report immediately to the School Commission;

“*b.* Receive the reports of the school visitors with regard to anything relating to the competency of teachers, success of pupils, general conducting of classes from a moral or a sanitary standpoint, and, after examining such reports, communicate same to the School Commission with appropriate suggestions;

“*c.* Hear and dispose of the disputes which may arise between pupils and teachers, or the parents of pupils, and suggest the proper solution to the School Commission;

“*d.* Dispose of cases of insubordination of pupils, immorality or other acts, and order the dismissal of such pupils, with the approval of the School Commission;

“*e.* Cancel, subject to the approval of the School Commission, the engagements of teachers, on account of incompetence, neglect to perform their duties, insubordination, misconduct or immorality, after discussion at a meeting called for the purpose;

“*f.* Establish a uniform series of books for all schools attended by girls, and a uniform series of books for all schools attended by boys, and, insofar as possible, establish uniformity between both series;

“*g.* Require that, subject to the provisions of the above paragraph *f*, in the schools under the control of the Three Rivers Catholic School Commission, only authorized books shall be used which must be the same for all the schools of

the municipality; books relating to religion and morals shall be selected by the Pedagogical Commission with the approval of the Ordinary of the diocese;

“h. Indicate to the School Commission two or more of its members to visit each school at least once in six months, and to report on the state of school buildings, the manner in which school regulations are observed, the progress of the pupils, the character and ability of the teachers and any other matter relating to the management and pedagogical direction of the schools;

“i. At the request of the School Commission, ascertain the morality and competency of applicants, when engaging teachers, and report thereon;

“j. Make a report to the School Commission on or before the 15th of July of each year, of the results obtained in the schools during the then past school year with suggestions for the ensuing year;

“k. Make any useful suggestions to the School Commission for the purpose of rendering as efficient as possible the instruction in the schools of the city of Three Rivers, in compliance with the directions of the Roman Catholic Committee of the Council of Education, and profit by the experience acquired in the best educational institutions elsewhere to apply, in the city, the most modern methods, as regards both education and hygienic conditions of classes and schools.”

8. Section 248 of the said act, as amended by the act 19 George V, chapter 43, section 1, is replaced, for the Commission, by the following:

R. S., c. 133, s. 248, replaced, for Commission.

“248. Notwithstanding the provisions of sections 243 and 244, the school commissioners may, pending the collection of the school taxes or assessments or monthly contributions, on mere resolution and without being bound to comply with the provisions of the said sections 243 and 244, contract temporary loans, by means of notes, for a period not to extend beyond the end of the then current school year, and on such terms and conditions as they may deem expedient, to an amount not exceeding at any time one-fourth of the revenue of the corporation for such year.

Temporary loans.

Period thereof.

The amount so borrowed, however, shall never exceed one hundred thousand dollars.”

Maximum.

9. Section 257 of the said act is replaced, for the Commission, by the following:

R. S., c. 133, s. 257, replaced for Commission.

Monthly fees.

“**257.** School commissioners and trustees shall fix a monthly fee when they determine the school tax.

Fees to be uniform.

Such fee shall be uniform for all elementary or primary elementary schools in the same municipality.

Payment of fees.

It shall be payable to the secretary-treasurer by the father, mother, tutor, curator or guardian for each of such children from seven to fourteen years of age able to attend school, for the months during which the school in the district is in operation.

Collection thereof.

Such monthly fee shall be collected in the manner that the commissioners shall decide.”

R. S., c. 133, s. 285, replaced for Commission.

10. Section 285 of the said act, as amended by the acts 16 George V, chapter 40, section 2, and 18 George V, chapter 44, section 4, is replaced, for the Commission, by the following:

Annual census of children by sec.-treasurer.

“**285.** The secretary-treasurer shall make, between the first day of July and the first day of August of every year, a census of the children of the school municipality, and the school commissioners and trustees shall see that he performs such duty. In such census the secretary-treasurer shall distinguish as between the children, boys and girls separately, of seven to thirteen years of age past, those of five and six years of age, those of fourteen and fifteen years of age, and those of sixteen and seventeen years of age.

Id., at expense of municipality.

If the secretary does not make such census at the said date, the Superintendent shall have it made at the expense of the school municipality.

Census made by city of Three Rivers.

However, if the municipality of the city of Three Rivers itself makes the census of children of school age, the commissioners may, at their option, accept such census, and, in such case, their secretary-treasurer is freed from the obligation to make one himself.”

R. S., c. 133, s. 291, replaced for Commission.

11. Section 291 of the said act is replaced, for the Commission, by the following:

Publication of public notices.

“**291.** The publication of a public notice for school purposes shall, as regards the Commission, be made by the publishing of such notice in French, in a French newspaper, and in English, in an English newspaper, of the city.”

R. S., c. 133, s. 307, replaced for Commission.

12. Section 307 of the said act is replaced, for the Commission, by the following:

Publication of certain resolutions.

“**307.** 1. The secretary-treasurer of the Three Rivers Catholic School Commission shall, under penalty of a fine

of ten dollars, cause to be published, in the manner and in accordance with section 291, as replaced for the Commission, during the fifteen days following their adoption, the resolutions adopted in the following cases:

a. When the School Commission establish new school districts, alter the limits of districts already established, unite two or more districts or separate such districts, fix the location of a school-house, decide to acquire a site for a school-house, or to build, enlarge or repair a school-house or its dependencies, or to hypothecate, sell, exchange or otherwise alienate any immoveable property or make loans other than those provided for in section 248;

b. When the School Commission have imposed a special assessment for the purchase of land for a school-house, for the building, enlarging, repair or maintenance of a school-house and its dependencies, or for the acquisition and repair of school furniture;

c. When the School Commission have changed the system of assessment followed in the municipality for the purposes mentioned in paragraph *b* of this subsection 1.

2. No resolution passed under the provisions of paragraphs *a*, *b* or *c* of subsection 1 of this section shall come into force before thirty days after the publication of the above-mentioned notice.”

Coming into force of such resolutions.

13. Section 315 of the said act is replaced, for the Commission, by the following:

R. S., c. 133, s. 315, replaced for Commission. Secretary-treasurer.

“**315.** The Three Rivers Catholic School Commission shall appoint its secretary-treasurer and may dismiss him at pleasure, and shall fix his remuneration by resolution.”

14. Section 368 of the said act is replaced, for the Commission, by the following:

R. S., c. 133, s. 315, replaced for Commission.

“**368.** The clerk of the municipal corporation of the city of Three Rivers, or any other custodian thereof shall furnish the secretary-treasurer of the School Commission of the city, a certified copy of the municipal valuation roll within fifteen days after the homologation of such roll; such copies must conform to and be in all respects similar to the original, and on paper of the same size and quality.”

Copy of municipal valuation roll.

15. Section 389 of the said act is replaced, for the Commission, by the following:

R. S., c. 133, s. 389, replaced for Commission.

“**389.** After the imposition of the taxes, the secretary-treasurer shall, without delay, make a collection roll.

Collection roll.

He shall also make a special collection roll whenever a special assessment has been imposed after the making of the Special col-

lection roll in certain cases.

Provisions applicable.

general collection roll, or whenever ordered so to do by the School Commission.

The School Commission may, however, as regards the collection roll and the collection of the school tax, act according to sections 398 and following of subdivision 2 of this Division II, as hereinafter amended."

R. S., c. 133, s. 398, replaced for Commission.

Collection of school taxes.

16. Section 398 of the said act is replaced, for the Commission, by the following sections:

"**398.** The council of the city of Three Rivers shall, on the request of the Three Rivers Catholic School Commission, order the treasurer to collect their taxes in the same manner and at the same time as the municipal taxes, in accordance with the following sections.

Notice of rate thereof.

"**398a.** In the month following the receipt of the copy of the city valuation roll, under section 368, as replaced for the Three Rivers Catholic School Commission, the commissioners shall inform the city of the rate of the school tax imposed by them.

Commissioners exempted from making collection roll.

The treasurer shall then, on the order of the council, prepare a collection roll for the school taxes at the same time as the collection roll for the municipal taxes, and the commissioners shall be exempted from making the collection roll required by section 389, as replaced for the Three Rivers Catholic School Commission."

R. S., c. 133, s. 399, replaced for Commission.

Total amount to be remitted. Remuneration.

17. Section 399 of the said act is replaced, for the Commission, by the following:

"**399.** The council shall remit to the commissioners the total amount of the school taxes levied on the proprietors and entered in the collection roll, and the commissioners shall pay the city, for such collection, a remuneration of one per cent of the total amount of school taxes entered in the collection roll.

Payment of remittance and remuneration.

Such remittance and the payment of the above remuneration shall be made by quarterly payments, as regards the total sum to be paid and the delay still to run, between the date when the tax becomes payable by the ratepayers and the end of the current year, the first payment to be made within fifteen days following the day on which the tax was payable, and the last payment on the thirty-first day of December of the same year.

City subrogated in rights of Commission.

When the city pays the school tax to the Commission in the above manner, it shall be subrogated *ipso facto* in all the rights and privileges of the Commission with respect to the ratepayers."

Coming into force.

18. This act shall come into force on the day of its sanction.