



CHAPTER 58

An Act respecting the Montreal Catholic School Commission

[Assented to, the 4th of April, 1930]

WHEREAS the Montreal Catholic School Commission Preamble. has, by its petition, represented:

That it is urgent for it to acquire new school sites, to erect and acquire new schools and residences, as well as offices for the administration; to enlarge, improve and repair existing schools; to perform the work of establishing playgrounds for the pupils, and to pay any hypothecary obligation maturing during the year 1930-1931, and that for such purposes it is necessary for the said Commission to contract a loan;

Whereas it would be of advantage for the corporation to eventually erect temporary schools of not more than two stories, not fire-proof, affording however every safety for the pupils and teaching staff;

Whereas it is expedient to rectify the involuntary omission of the act 18 George V, chapter 50, and to ask to restore the text of the previous acts governing the corporation, to the effect that all its members must be Roman Catholics;

Whereas it is expedient to grant the prayer contained in the said petition;

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

1. Section 1 of the act 54 Victoria, chapter 53, as amended by the acts 63 Victoria, chapter 99, section 1; 5 Edward VII, chapter 90, section 1; 6 Edward VII, chapter 84, section 1; 9 Edward VII, chapter 39, section 1; 1 George V (1st session), chapter 22, section 1; 2 George V, chapter 54 Viet., c. 53, s. 1, am.

27, section 1; 3 George V, chapter 30, section 1; 6 George V, chapter 63, section 1; 8 George V, chapter 37, section 1; 10 George V, chapter 39, section 3; 11 George V, chapter 49, section 1; 12 George V, chapter 48, section 1; 14 George V, chapter 35, section 1; 15 George V, chapter 43, section 1; 16 George V, chapter 46, section 1; 17 George V, chapter 41, section 1; 18 George V, chapter 49, section 1, and 19 George V, chapter 46, section 1, is again amended by adding thereto, after subsection *ee* thereof, the following subsection:

Issue of
bonds au-
thorized.

“*ff.* The Montreal Catholic School Commission is authorized to issue, in addition to the loans already authorized, bonds or debentures for an additional amount not exceeding two million, five hundred thousand dollars, to acquire or erect schools or residences for the religious teaching staff as well as offices for the administration; to enlarge, improve and repair existing schools; to acquire sites to be used as playgrounds for the pupils, and to pay any hypothecary obligation maturing during the fiscal year 1930-1931. Such bonds or debentures shall be issued in accordance with the act 54 Victoria, chapter 53, section 3, or any other act and the amendments thereto, governing loans by the said Commission.”

7 Geo. V, c.
28, s. 4, re-
placed.

2. Section 4 of the act 7 George V, chapter 28, as replaced by the acts 11 George V, chapter 49, section 4, and 18 George V, chapter 50, section 2, is again replaced by the following:

Composi-
tion of cor-
poration.

“**4.** The corporation shall be composed of the persons mentioned in section 5, all of whom shall be chosen from amongst Roman Catholics. It shall comprise an administrative board and a pedagogical board. It shall be governed and administered by the administrative board; the general-chairman of the corporation shall be chairman of the administrative board. The two boards shall possess the powers and duties conferred upon them by this act.

One cor-
porate seat.

The corporation shall have only one corporate seat, situated in the city of Montreal, where the full meetings and the meetings of the two boards and of committees shall be held. The entire administration shall be centralized there; the general-chairman, the director of studies, the director of works, the secretary and the treasurer, as well as the whole staff, shall have their offices there.”

Annexation
confirmed.

3. Notwithstanding the provisions of subsections 11 and 12 of section 8 of the act 19 George V, chapter 46, the annexation of the school municipality of St. Charles-Bas-du-

Sault, in the county of Laval, to the school municipality under the jurisdiction and control of the Montreal Catholic School Commission, took place for all legal purposes on the 1st of July, 1929.

4. Section 22 of the act 7 George V, chapter 28, as re-^{7 Geo. V, c.} placed by section 19 of the act 18 George V, chapter 50,^{28, s. 22, re-} and amended by the act 19 George V, chapter 46, section^{placed.} 5, is again replaced by the following:

“22. The members of both boards, except the general-^{Indemnity} chairman, shall each receive an indemnity of one thousand ^{to members} dollars per annum. Every member shall, after three ab-^{of both} sences without cause, be subject to a deduction from such ^{boards.} indemnity of twenty dollars each time he absents himself from a meeting of the board to which he belongs, and to a deduction of fifteen dollars for each absence from a committee meeting.

The chairman of the pedagogical board, as well as the ^{Indemnity} chairman of the finance committee, of the committee on ^{to chairmen.} works and of the committee on legislation, shall receive an additional yearly indemnity of not over one thousand dollars.

The commissioners who form part of the two boards, ^{Indemnity} pedagogical and administrative, receive a further indem- ^{to commis-} nity of five hundred dollars.” ^{sioners.}

5. Section 24 of the act 7 George V, chapter 28, as ^{7 Geo. V, c.} amended by the acts 10 George V, chapter 39, section 4,^{28, s. 24,} and 15 George V, chapter 44, section 4, and replaced by ^{am.} section 22 of the act 18 George V, chapter 50, is amended by replacing paragraph 20 thereof by the following:

“20. To appoint at its first meeting after the 1st of July, ^{Committees.} 1928, and, at the same period every year thereafter, a finance committee, a committee on legislation and a committee on works, and fix the quorum thereof.”

6. 1. The School Municipality No. 1 of Côte St. Lau-^{Annexation.} rent, in the county of Jacques-Cartier, is annexed to the school municipality under the jurisdiction and control of the Montreal Catholic School Commission.

2. From the date of the annexation, the Montreal Cath-^{Rights and} olic School Commission shall stand in the rights and obli- ^{obligations.} gations of the school commission for the School Municipality No. 1 of Côte St. Laurent, in the county of Jacques-Cartier, and the assets and liabilities of the latter shall be consolidated with the assets and liabilities of the said Montreal Catholic School Commission.

Rate of
taxation.

3. Nevertheless, the present rate of taxation in force in the School Municipality No. 1 of Côte St. Laurent, in the county of Jacques-Cartier, shall remain the same until the receipts derived from the said taxation and the expenses incurred by the said municipality be equalized; provided that, at no time after the annexation, the rate of such taxation be below the rate of the school tax imposed in the city of Montreal.

Levying
of taxes.

The taxes above mentioned shall be levied and collected in the territory of the said school municipality, outside of the city of Montreal, by the proper municipal authorities, at the same time as the municipal taxes, and, notwithstanding any special or general provision of law governing the municipality, the amount of the Catholic school tax so levied, and the share of the tax in the neutral panel accruing for the benefit of Catholic education, shall be paid over to the Montreal Catholic School Commission, by the proper municipal authorities, independently of the collection thereof, in four payments, the first of which shall be forty per cent, payable within one month from the date fixed by the said municipality as the due date of the tax on immoveables, both for municipal and for school purposes; the second of which shall be twenty per cent, payable two months after the due date of the tax on immoveables; the third of which shall be twenty per cent, payable four months after the due date of the tax on immoveables; and the fourth of which shall be the balance of the amount of the tax above mentioned and shall be payable seven months after the due date of the tax on immoveables, but, in any event, not later than the 30th of June in each year.

Borrowing
power.

The municipal council may, by resolution approved by the Minister of Municipal Affairs, borrow, at its option, a sufficient amount to pay in one payment all instalments hereinabove mentioned or each of them at maturity. Such loans shall in nowise affect the borrowing power of such municipalities and shall be reimbursed out of the school taxes collected.

Interest on
arrears.

The Montreal Catholic School Commission shall have the right to exact, from the municipality in arrears on any of such four instalments, interest at the rate of five per cent per annum on the amount of such arrears.

Provision
not applic-
able to cer-
tain school
municipal-
ity.

The second paragraph of subsection 2 of section 16 of the act 15 George V, chapter 45, as replaced by section 2 of the act 17 George V, chapter 42, and again replaced by section 1 of the act 18 George V, chapter 51, shall not apply to the school commissioners for School Municipality No. 1

of Côte St. Laurent, in the county of Jacques-Cartier, nor to the Montreal Catholic School Commission in the rights and obligations of the said municipality, from the 1st of July, 1929, and the remittances made to them, by the parish of St. Laurent, of their proportion of taxes accruing from the neutral panel during the school years 1925-26, 1926-27, 1927-28 and 1928-29 are hereby ratified.

4. The present annexation is however subject to the approval of the ratepayers of the School Municipality No. 1 of Côte St. Laurent, in the county of Jacques-Cartier, which shall be expressed by a referendum. Annexation subject to approval.

5. The referendum shall be held on the 20th of May, 1930, at Viger School, corner of St. Roch and Outremont streets, in the city of Montreal, under the direction and supervision of the chairman of the Montreal Catholic School Commission; which chairman shall appoint the officer, who shall have charge of holding such referendum, as well as all other persons whom it may please him to designate as representatives at the polling-station. Referendum.

6. Such officer must, at least ten days before the holding of said referendum, send to each of the ratepayers appearing on the list supplied by the secretary of the said School Municipality No. 1 of Côte St. Laurent, a postal card in both languages (French and English), notifying him of the day, place and object of said referendum. Notice.

7. The polling-station shall be open from seven o'clock in the morning until eight o'clock in the evening (standard time). Polling-station.

8. The powers and duties of such officer for the purposes of the referendum shall be assimilated to those of a returning-officer acting under the election law of the Province of Quebec both for the purposes of registering the votes of the ratepayers and for the noting of any incidents; he shall call upon the services of a clerk or secretary whom he shall swear. Powers, etc., of presiding officer.

9. For the purposes of the said referendum, the secretary of School Commission No. 1 of Côte St. Laurent, in the county of Jacques-Cartier, shall supply the chairman of the Montreal Catholic School Commission and each school commissioner then in office, at least thirty days before the 20th of May, 1930, with a list, certified under his oath of office, of all ratepayers appearing on the valuation roll in use by the School Commission No. 1 of Côte St. Laurent, in the county of Jacques-Cartier. List to be furnished.

- Voting. 10. The vote shall be given by secret ballot and upon ballot-papers previously printed, made in the form of the ballot-papers used in the elections of the Province of Quebec and containing in two distinct lines the following words:
- “For annexation”
- “Against annexation”
- Procedure. Such ballot-paper must be made so as to leave a space at the end of the said words for marking a cross. The ratepayer will answer by placing a cross on the ballot-paper opposite to the question he wishes to answer in the affirmative.
- Majority. 11. The absolute majority of votes registered shall be considered as the approval or disapproval of the ratepayers as to the annexation.
- Return. 12. The officiating officer shall immediately prepare his return and transmit the same without delay to the Honourable the Provincial Secretary who shall publish the result in the *Quebec Official Gazette*.
- Publication. 13. Where the return thus published shall establish a majority in favour of the said annexation, the provisions of this section respecting the said annexation shall come into force on the 1st of July, 1930, upon a proclamation of the Lieutenant-Governor in Council.
- Coming into force. 13. Where the return thus published shall establish a majority in favour of the said annexation, the provisions of this section respecting the said annexation shall come into force on the 1st of July, 1930, upon a proclamation of the Lieutenant-Governor in Council.
- Costs. 14. The costs occasioned by the said referendum shall be borne by School Commission No. 1 of Côte St. Laurent, in the county of Jacques-Cartier.
- Pension fund. 7. The Montreal Catholic School Commission may authorize or create a local pension fund for the benefit of its lay teachers or of any other persons in its service, and adopt all necessary regulations therefor, the whole subject to the approval of the Superintendent of Education and of the Lieutenant-Governor in Council.
- Coming into force. 8. This act shall come into force on the day of its sanction.